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PEASANT RENTS

BEING THE FIRST HALF OF

AN ESSAY ON THE DISTRIBUTION OF WEALTH
AND ON THE SOURCES OF TAXATION

BY

RICHARD JONES

1831



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RICHARD JONES, the son of a solicitor at Tunbridge Wells, was born in 1790. He entered Caius College, Cambridge, in 1812, and after receiving his degree in 1816 he took Holy Orders, and was curate successively at various places in Sussex. In 1831 he published *Part I.—Rent*, of *An Essay on the Distribution of Wealth and on the Sources of Taxation*. Shortly afterwards he was appointed to the Professorship of Political Economy at the newly established King's College, London, and took occasion in his *Introductory Lecture* (Feb. 27, 1833) to explain his attitude towards contemporary economic speculation. In 1835 he succeeded Malthus as Professor of Political Economy and History at the East India College at Haileybury. Meanwhile he had greatly interested himself in proposals for the Commutation of Tithe, and in 1836 he took a large share in the preparation and defence of the bill finally passed by the government of Lord John Russell. Accordingly he was appointed in that year one of the three Commissioners to whom the execution of the act was intrusted, an office which he retained until the separate existence of the Tithe Commission came to an end in 1851. During these years his energies were mainly engaged in the work of the Commission, involving, besides the routine of administration, the decision of many intricate questions of practice and law. In 1851 he became Secretary to the Capitulat Commission,

and afterwards one of the Charity Commissioners. He died in the College at Haileybury in 1855. His *Text Book of Lectures at Haileybury*, an article on *Primitive Political Economy in England* (originally contributed to the *Edinburgh Review* for April, 1847), and some other miscellaneous writings, were brought together in a volume of *Literary Remains* by his friend and admirer Dr. Whewell in 1859, with a *Prefatory Notice* which has been freely drawn upon for the biographical facts stated above.

As Dr. Ingram (*History of Political Economy*, p. 142) has justly remarked, Jones was "the most systematic and thorough-going of the earlier critics of the Ricardian system," and "much of what has been preached by the German historical school is found distinctly indicated in his writings." The present reprint limits itself, however, to his account of Peasant Rents. This was described by John Stuart Mill as "a copious repertory of valuable facts on the landed tenures of different countries," and it was one of the main sources from which he drew his material for the chapters on land tenure in his *Political Economy*.

Its republication seems peculiarly appropriate at this time. In recent years much attention has been paid to the economic structure of mediæval England. Yet it has not been sufficiently noticed how abundant is the light cast upon it by the history, even in the present century, of serfdom in Central and Eastern Europe. When Jones was gathering his material, serfdom was there still but slowly passing away; and he commented upon the facts before him with the insight of an economist and the practical knowledge of a sagacious agriculturist.

Of late, also, German economists have thrown themselves with ardour and success into the investigation of the causes, progress, and consequences of the Liberation of the Peasants in their own country. They may, perhaps, welcome this modest contribution to the elucidation of their subject by an almost forgotten economic historian in England.

And finally, it cannot but be interesting to those who know anything of the course of discussion and legislation concerning Indian land-tenure during the present century, to notice the attitude toward the subject of one who for twenty years had a large share in the training of Indian officials.

In the present reprint, the original punctuation and spelling have been followed (including the omission of 'u' from 'labour' throughout) wherever there seemed no reason to suspect typographical error.

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PEASANT RENTS.



CHAPTER I.

DIVISION OF THE SUBJECT.

SECTION I.

On the Origin of Rents : on their Division into Primary and Secondary, or Peasant and Farmer's Rents.

WHEN mankind have become sufficiently numerous to be driven from the pastoral state to agriculture for subsistence, and before sufficient funds have accumulated in the possession of others to supply the body of the people with their daily bread, they must extract it with their own hands from the soil, or they must starve. While thus circumstanced they may, or may not, be themselves the owners of the implements, seed, &c. by the assistance of which their manual labor applied to the soil produces them a continuous maintenance ; a stock which if used for any other purpose must soon be exhausted : such a stock, if they possess it, is in their peculiar circumstances entirely deprived of its mobility ; it is convertible to no other purpose, and is confined to the task of assisting cultivation, by the same necessity which

compels its owners to extract their food from the earth : and the returns to stock so situated, like the returns to the labors of its owners (or their wages), must be governed by the terms on which land can be obtained. Should the surface of the country which such a people inhabit be appropriated, the only chance which the cultivator has of being allowed to occupy that portion of it, from which he is to draw his subsistence, rests upon his being able to pay some tribute to the owner. The power of the earth to yield, even to the rudest labors of mankind, more than is necessary for the subsistence of the cultivator himself, enables him to pay such a tribute : hence the origin of rent. A very large proportion of the inhabitants of the whole earth are precisely in the circumstances we have been describing ; sufficiently numerous to have resorted to agriculture ; too rude to possess any accumulated fund in the shape of capital, from which the wages of the laboring cultivators can be advanced. These cultivators in such a state of society comprise always, from causes we shall hereafter arrive in sight of, an overwhelming majority of the nation. As the land is then the direct source of the subsistence of the population, so the nature of the property established in the land, and the forms and terms of tenancy to which that property gives birth, furnish to the people the most influential elements of their national character. We may be prepared therefore to see without surprise, the different systems of rent which in this state of things have arisen out of the peculiar circumstances of different people, forming the main ties which hold society together, determining the nature of the connection between the governing part of the community and the governed, and stamping on

a very large portion of the population of the whole globe their most striking features, social, political, and moral.

If indeed it were true, as some have fancied, that lands were always first appropriated by those who are willing to bestow pains on their cultivation ; if in the history of mankind it were an ordinary fact, that the uncultivated lands of a country were open to the industry or necessities of all its population ; then some time would elapse in the progress of agricultural nations before rents made their appearance at all ; and when they did appear, still, while any portion of the country remained unoccupied, the rents paid on the lands already cultivated would only be in exact proportion to their superiority, from position or goodness, over the vacant spots.

Such a state of things might occur ; it is an abstract possibility : but the past history and present state of the world yield abundant testimony, that it neither is, nor ever has been, a practical truth, and that the assumption of it as the basis of systems of political philosophy, is a mere fallacy.

When men begin to unite in the form of an agricultural community, the political notion they seem constantly to adopt first, is that of an exclusive right, existing somewhere, to the soil of the country they inhabit. Their circumstances, their prejudices, their ideas of justice or of expediency, lead them, almost universally, to vest that right in their general government, and in persons deriving their rights from it.

The rudest people among whom this can at present be observed are perhaps some of the Islanders of the South

Seas. The soil of the Society Islands is very imperfectly occupied ; the whole belongs to the sovereign ; he portions it among the nobles, and makes and resumes grants at his pleasure. The body of the people, who live on certain edible roots peculiar to the country, which they cultivate with considerable care, receive from the nobles, in their turn, permission to occupy smaller portions. They are thus dependent on the chiefs for the means of existence, and they pay a tribute, a rent, in the shape of labor and services performed on other lands.¹

On the continent of America, the institutions of those people, who before its discovery had resorted to agriculture for subsistence, indicate also an early and complete appropriation of the soil by the state. In Mexico there were crown lands cultivated by the services of those classes who were too poor to contribute to the revenue of the state in any other manner. There existed too a body of about 3000 nobles possessed of distinct hereditary property in land. "The tenure by which the great body of the people held their property was very different. In every district a certain quantity of land was measured out in proportion to the number of families. This was cultivated by the joint labor of the whole : its produce was deposited in a common storehouse, and divided among them according to their respective exigencies." While in Peru "all the lands capable of cultivation were divided into three shares. One was consecrated to the Sun, and the produce of it was applied to the erection of temples, and furnishing what was requisite towards celebrating the public rites of

¹ Appendix I.

“religion. The second belonged to the Inca, and was set apart as the provision made by the community for the support of government. The third and largest share was reserved for the maintenance of the people among whom it was parcelled out. Neither individuals, however, nor communities had a right of exclusive property in the portion set apart for their use. They possessed it only for a year, at the expiration of which, a new division was made in proportion to the rank, the number, and the exigencies of each family.”¹

Throughout Asia, the sovereigns have ever been in the possession of an exclusive title to the soil of their dominions, and they have preserved that title in a state of singular and inauspicious integrity, undivided, as well as unimpaired. The people are there universally the tenants of the sovereign, who is the sole proprietor; usurpations of his officers alone occasionally break the links of the chain of dependence for a time. It is this universal dependence on the throne for the means of supporting life, which is the real foundation of the unbroken despotism of the Eastern world, as it is of the revenue of the sovereigns, and of the form which society assumes beneath their feet.

In modern Europe the same rights once prevailed, but here they were soon moderated, and finally disappeared. The subordinate chiefs, who followed in crowds the leaders of the barbarian irruptions, were little accustomed to tolerate constant dependence and regular government, and utterly unfit to become its support and agents. Yet even by them, the abstract right of the sovereign to the soil was

¹ Robertson's *America*, Book vii.

very generally recognized. Traces of it are still preserved in the language of our laws; the highest title a subject can claim is that of *tenant* of the fee, and the terms of this *tenancy* made originally the only difference in the extent of interests in estates.

The steps by which beneficiaries became the real proprietors are familiar to almost all classes of readers; it is enough for our present purpose to see that in Europe, as in Asia and South America, the soil was practically appropriated by the sovereign or a limited number of individuals, at a time when the bulk of the people were wholly dependent on the occupation of portions of it for their subsistence, and when they became therefore, inevitably, tributary to its owners.

The United States of North America, though often referred to in support of different views, afford another remarkable instance of the power vested in the hands of the owners of the soil, when its occupation offers the only means of subsistence to the people. The territories of the Union still unoccupied, from the Canadian border to the shores of the Floridas, from the Atlantic to the Pacific, are admitted, in law and practice, to be the property of the general government. They can be occupied only with its consent, in spots fixed on and allotted by its servants, and on the condition of a previous money payment. That government does not, it is true, convert the successive shoals of fresh applicants into tenants, because its policy rejects such a measure. Its legislators inherited from the other hemisphere at the outset of their career the advantages of an experience accumulated during centuries of progressive civilization: they saw, that the power and re-

sources of their young government were likely to be increased more effectually by the rapid formation of a race of proprietors, than by the creation of a class of state tenantry. It has been suggested, that they may have acted unwisely in overlooking such a mode of creating a permanent public revenue. Had they perversely entertained the will to do so, unquestionably they had the power. Their rapidly increasing numbers could have been sustained only by the spread of cultivation. As fresh settlements became necessary to the maintenance of the people, the government might have made its own terms when granting the space from which alone the population could obtain subsistence; and this without parting with the property of the soil. Had this been done, the career of the nation, essentially different from what it has been, would more closely have resembled that of the people of the old world.

In the English colonies of Australia, an unsettled territory, which will bear comparison with the wastes of North America in extent, is the acknowledged property of the crown. A system of disposing of the public lands has lately been adopted, which is a mean between an absolute sale and the creation of a permanent tenantry.¹ The person receiving a grant is subject to a moderate rent, which he may commute for the payment of a specific sum.²

Throughout central Africa the consent of the king or chief must be obtained, before any spot of ground can be

¹ *Emigration Report*, p. 397.

² In proposing present terms to persons inclined to settle at the Swan River, the Colonial Office formally declares an intention of granting lands after 1830, on such conditions only, as may then seem advisable to Government.

cultivated.¹ We know but little of the subsequent rights of the cultivator or of his connection with the sovereign ; but the necessity of applying for permission implies a power to withhold it, or to grant it conditionally.

The past history and present state therefore of the old and new world, yield abundant proof of the visionary nature of those notions as to the origin of rent, which rest upon an assumption, that it is never the immediate result of cultivation ; and that while any land remains unoccupied, no rent will be paid for the cultivated part, except such as is warranted by its superiority over that part which is supposed to be always open to the industry of the community.

We come back then to the proposition, that, in the actual progress of human society, rent has usually originated in the appropriation of the soil, at a time when the bulk of the people must cultivate it on such terms as they can obtain, or starve ; and when their scanty capital of implements, seed, &c. being utterly insufficient to secure their maintenance in any other occupation than that of agriculture, is chained with themselves to the land by an overpowering necessity. The necessity then, which compels them to pay a rent, it need hardly be observed, is wholly independent of any difference in the quality of the ground they occupy, and would not be removed were the soils all equalized.

The rents thus paid by the laborer, who extracts his own wages from the earth, may be called *peasant* rents, using the term peasant to indicate an occupier of the ground who depends on his own labor for its cultivation ; or they may be called *primary* rents, because, in the order of their

¹ Park's *Travels in Africa*, p. 260.

appearance in the progress of nations toward civilization, they invariably precede that other class of rents to which we have now to advert.

On the Origin of Secondary or Farmer's Rents.

Much time seldom elapses, after the formation of an agricultural community, before some imperfect separation takes place between the departments of labor. The body of artizans and mechanics bear at first a very small proportion to the whole numbers of the people: some of these soon become able to store up such a quantity of food, implements, and materials, as enable them to feed and employ others, to take the results of their labour, and to exchange them again for more food, and all that is necessary to continue the process. A class of capitalists is thus formed, distinct from that of laborers and landlords. This class sometimes (but, taking the earth throughout, very rarely) makes its appearance on the land, and takes charge of its cultivation. The agricultural laborer no longer depends for subsistence upon the crops he raises from the soil; and the landlord, instead of receiving his share directly from the hands of the laborer, receives it *indirectly* through those of the new employer.

Since these rents invariably succeed in the order of civilization the class already pointed out, they may be called *secondary* rents; or, because the capitalist, who becomes responsible for the rent of land which he cultivates by the labor of others, is usually called a farmer, these rents may conveniently be called *farmer's* rents, and so distinguished from peasant rents.

There are cases, no doubt, in which it is difficult to determine to which of these two classes, the peasant or farmer's rents, the rents paid by particular individuals belong. But this is a circumstance which need embarrass the enquiries of none but those who delight in surrounding a subject with refinements and difficulties of their own creation. We shall find the two classes over vast regions of the globe distinctly and broadly separated in their form, their effects, and the causes of their variations: and it would be very useless trifling, to linger and puzzle over those very limited spots alone, where they are in a state of mixture and confusion.

The circumstances which determine the amount of peasant rents are much less complex than those which determine the amount of the farmer's rents. In the case of these last, the amount of wages is first determined by causes foreign to the contract between the proprietor and the tenant, and then the amount of rent is strictly limited by the amount of the profits on the capital used; which capital, if those profits are not realized, may be withdrawn to another employment. The causes which determine the ordinary rate of those profits are also independent of the contract between the landlord and tenant, and form a distinct subject of enquiry. In the case of the first class, or peasant rents, the amount both of wages and rents is determined solely by the bargain made between the proprietors and a set of laborers, whose necessities chain them to the soil with the small capital they use to aid their labour and procure food; and the causes which govern the terms of that bargain are comparatively simple.

The class of secondary or farmer's rents is that with which

we are the most familiar in England, or rather that with which we are alone familiar ; and this familiarity has caused peasant rents in their numerous varieties not only to be neglected in our investigations, but, in truth, to be overlooked altogether. And yet, as has been before suggested, compared with these, the mass of farmer's rents to be found on the globe is very small. In England and in most parts of the Netherlands secondary rents exclusively prevail. In the Highlands of Scotland, they are only at this moment displacing the last remains of the more primitive form : in France, before the revolution, they were found on about one-seventh part of the land : in the other countries of Europe, they are much more rare, throughout Asia hardly known. We shall be making on the whole an extravagant allowance, if we suppose them to occupy one-hundredth part of the cultivated surface of the habitable globe.

If we consider principally the numbers of the human race whose fate they influence, or the extent of the regions of which the social condition receives its impress from them, then peasant rents under their various forms will be the most interesting and important. If our taste leads us to undertake the discussion of these subjects as a scientific problem, the main interest of which consists in the exercise it affords to the powers of analysis and combination, perhaps the second class (or farmer's rents) may not be undeserving of the exclusive attention it has received.

SECTION II.

On Peasant Rents : on their Separation into Labor, Metayer, Ryot, and Cottier Rents.

WHILE the laborer is confined to the culture of the soil on his own account, because it is in that manner alone that he can obtain access to the wages on which he is to subsist, the form and amount of the Rents he pays are determined by a direct contract between himself and the proprietor. The provisions of these contracts are influenced sometimes by the laws, and almost always by the long established usages, of the countries in which they are made. The main object in all is, to secure a revenue to the proprietors with the least practicable amount of trouble or risk on their part.

Though governed in common by some important principles, the variety in the minuter details of this class of Rents is of course almost infinite. But men will be driven in similar situations to very similar expedients, and the general mass of peasant rents may be separated into four great divisions, comprising 1st, Labor Rents, 2dly, Metayer Rents, 3dly, Ryot Rents (borrowing the last term from the country in which we are most familiar with them, India).

These three will be found occupying in contiguous masses the breadth of the old world, from the Canary Islands to the shores of China and the Pacific, and deciding, each in its own sphere, not merely the economical relations of the landlords and tenants, but the political and social condition of the mass of the people.

To these must be added a fourth division, that of Cottier

Rents, or Rents paid by a laborer extracting his own wages from the land, but paying his rent in money, as in Ireland and part of Scotland. This class is small, but peculiarly interesting to Englishmen, from the fact of its prevalence in the sister island, and from the influence it has exercised, and seems likely for some time yet to exercise, over the progress and circumstances of the Irish people.

CHAPTER II.

SECTION I.

Labor Rents, or Serf Rents.

THE landed proprietors of rude nations usually dislike, and are unfit for, the task of superintending labor, and if they can rely, through the receipt of produce rents, on a supply of necessaries suited to their purposes, they uniformly throw upon the peasant the whole business of cultivation. But their being able to do this in security supposes in the tenants themselves, some skill, and habits of voluntary and regular labor : they must be trust-worthy too, to a certain extent. There is, however, a point in the progress of civilization, below which the body of the people do not possess these qualifications : when, though driven to agriculture by their numbers, they still possess many of the qualities of the savage ; and are not yet ripe for the regular payment of produce or money rents ; because their ignorance, their impatience of toil, and their improvidence, would expose the proprietor to considerable danger of starvation, if he depended on their punctuality for the support of himself, and his household.

However averse to the employment, the proprietors may be, they must in this stage of society, take some share in the burthen of conducting cultivation. They may contrive, however, to get rid of the task of raising food for the laborers,

who are the instruments of that cultivation. They usually set aside for their use a portion of the estate, and leave them to extract their own subsistence from it, at their own risk. They exact as a rent for the land thus abandoned, a certain quantity of labor, to be used upon the remaining portion of the estate, which is retained in the hands of the proprietor. Such is the expedient which seems generally to have suggested itself to the owners of the soil, while the laborers have been in this state of half civilization, and while no capitalists yet existed.

In the Society Islands, the chiefs allot to their tenants about sixty acres of land each. The rent paid for these consists of work done for a certain number of days at the call of the chief on his own demesne farm. They are perhaps the rudest people among whom this mode of occupying and cultivating the soil can be observed; and it is instructive to remark among these Islanders of the Antipodes, the necessities of their position giving birth to a system, which was once nearly universal in Europe, and which still prevails over the larger portion of it.

Arrangements somewhat similar to these exist in some of our West Indian Islands, between the negroes and the owners of the estates to which they belong.

But the people by whom labor rents were established on the widest scale, and were communicated to the vast countries in which they did, or do, principally prevail, were the nations of Eastern Europe, the inhabitants of the deserts of Germany, and the wastes beyond the Vistula. Some of the tribes, who invaded the lower empire, had begun to resort partially to agriculture for subsistence before the period of

their irruption, and it is probable that this system was even then not unknown to them ; but however this may have been, they certainly established it most extensively throughout their conquests in Western Europe ; and when their own fastnesses, the wastes from which they had migrated, became more regularly peopled and settled, this was the mode of cultivating the land, which universally prevailed there. It prevails there still. In their conquests westward of the Rhine, it took for a time strong hold of the habits of the people to whom they introduced it, has left deep traces in their laws, and yet lingers in particular spots ; but from this portion of Europe, the peculiar circumstances of some nations, and the advance of civilization in all, have repelled the system, which has given place to other forms of the relation between proprietors and tenants. In the countries eastward of the Rhine it is still found paramount ; not wholly unbroken, and shewing every where symptoms of gradual or approaching change, but fashioning still the frame of society, and exercising a predominant influence over the industry and fortunes of all ranks of people.

These labor rents may, with some little extension of the ordinary use of the term *serf*, be all called *serf* rents.

As labor or serf rents have gradually receded from the West, so it is on the western extremity of the countries in which they still prevail, that their decomposition is the most advanced. To observe them, therefore, in their complete state, we must go at once to the east of Europe, and begin with Russia, and may trace them thence, gradually decaying in form and spirit through Hungary, Livonia, Poland, Prussia, and Germany, to the Rhine, on the borders of which

they melt away into different systems, and are no longer to be recognized.

SECTION II.

On Labor or Serf Rents in Russia.

IN Russia the peasants, who are settled on the soil, receive from the proprietor a quantity of land, great or small, as his discretion or convenience dictate, from which they extract their wages. They are bound to work on the demesnes of the landowners three days in the week. The obligation would be light, were it not for the results it has led to. In Russia this mode of occupying the soil has established the complete personal bondage of the peasant: he has become, with all his family and descendants, the slave of the lord. Such too has been the result of similar relations between the proprietor and his tenants, wherever they have prevailed among semi-barbarous people and feeble general governments.¹ From the countries westward of Russia the same state of bondage, once common, is disappearing by degrees. In Russia, as in its last strong hold, it still subsists entire.

It is not difficult to trace the steps by which labor rents prepared so generally the servile condition of the peasants,

¹ Sweden and Norway must be excepted. No information, written or verbal, which I have been able to collect, has made me feel satisfied that I understand the real history of the changes in the tenure, or in the mode of occupying the soil, which have taken place in those countries. I can only suspect that the progress of Sweden in these respects has resembled, in some measure, that of the German nations: while that of Norway has been distinct and very peculiar. Labor rents, however, under various modifications have been, and are now, known in both countries.

and covered Europe during the middle ages with a race of predial bonds-men. A rude people dependent upon their own labor on their allotment for their support, were often exposed, from the failure of the crops or the ravages of war, to utter destitution. The lord was usually able, out of his store-houses, to afford them some relief, which they had no means of repaying but by additional labor. From this and other causes, the serf did, and does, perpetually owe to his lord nearly the whole of his time.¹ Besides this, they were mainly dependent on him for protection from strangers and from each other. From his domestic tribunal, he settled their differences and punished their faults with an authority which the general government was in no condition to supersede, and which became at last sanctioned by usage and equivalent to law. The patriarchal authority of the Highland chiefs had no other source. In them it was at once dignified and moderated by supposed ties of blood. Elsewhere it received no such mitigation. Their time and their persons being thus abandoned to the will of their superiors, the tenantry had no means of resisting further encroachments. One of the most general seems to have been, the establishment of a right by which the landlord, providing the serf with subsistence, might withdraw him altogether from the soil on which he had placed him, to employ him elsewhere at pleasure. Then followed an understanding that the flight of a serf from the estate of his landlord, employer, and judge, was an offence and an injury. This once sanctioned by law

¹ See Bright's description of what takes place in Hungary even now, although the Austrian government has interposed to protect, to a certain extent, the right of the peasantry.—Bright's *Hungary*, p. 114. Appendix II.

and usage, the chains of the serf were rivetted, and he became a slave, the property of a master. In Russia he is so still : but successive modifications have every where else re-endowed him with at least some of the privileges of a freeman.

The descent of the peasants towards actual servitude did not perhaps, in every case, follow the precise track here marked out. The nations with whom labor rents originated in Europe were familiar with domestic slavery before they resorted to agriculture for subsistence, and some of their first tenants were doubtless already slaves. But when we observe, not a portion of the people in a state of slavery, but the whole body of peasantry in a wholly agricultural nation, as in Russia and formerly in Hungary, it is then impossible not to believe that such extensive servitude has closed gradually round their race. The Russians themselves contend, that the bondage of their peasantry was not complete, till so late as the reign of Czar Boris Godounoff, who mounted the throne in 1603.¹

In the Georgian provinces of Russia, the owner receives from the peasants a mixture of produce rents and labor : they work for him only one day in the week instead of three, and pay one seventh of the crops raised on their allotments.² With this and perhaps other local exceptions, the body of

¹ General Boltin was encouraged by Catharine II. to publish (in Russia) some researches on the origin of slavery in Russia, and as such was his conclusion, it rests certainly on no mean authority. Before the time of Boris Godounoff, General Boltin asserts, that the only real slaves in Russia were prisoners taken from an enemy, and that the peasants were reduced to slavery (*asservis*) after that epoch. Storch, Vol. VI. p. 310.

² See Gamba, *Voy. dans la Russ.* Tom. II. p. 84.

Russian serfs who are actual cultivators, pay labor rents, nominally at the rate of three days labor in the week, for their allotments, but in fact their condition has degenerated into a state of complete personal bondage, and the demands of the proprietor, though influenced by custom, are really limited only by his own forbearance. The money commutation of these labor rents, when they are permitted to make one, which they very generally are, is called like the payments from the personal slaves, obroc or abroc, and is completely arbitrary, and settled by the master according to his suspicions of their ability.¹

But even in Russia, the bondage of the serfs, although more entire than elsewhere, is yet, as respects a large body, perhaps half of the peasantry, in a state of rapid change. That change has originated with the government. The existence of very extensive crown domains may perhaps be considered as an indication of a backward state of civilization. In other parts of Europe, they will usually be found small in proportion to the advance of the people in wealth and numbers. The domains of the Russian sovereign are

¹ Heber (late Bishop of Calcutta) quoted by Clarke, *Travels*, Vol. I. p. 165. The peasants belonging to the nobles, have their abrock regulated by their means of getting money; at an average throughout the empire of eight or ten roubles. It then becomes not a rent for land, but a downright tax on their industry. Each male peasant is obliged by law to labor three days in each week for his proprietor. This law takes effect on his arriving at the age of fifteen. If the proprietor chooses to employ him on the other days he may; as, for example, in a manufactory; but he then finds him in food and clothing. Mutual advantage however generally relaxes this law; and excepting such as are selected for domestic servants, or, as above, are employed in manufactories, the slave pays a certain abrock or rent, to be allowed to work all the week on his own account. The master is bound to furnish him with a house and a certain portion of land.

immense, and perhaps more than equal the estates of all his subjects. This fact is indicated by the number of royal serfs : of these, in 1782, ten millions and a half belonged to the crown. To extract labor rents from such a body of people, that is to employ them, as they are employed by subjects in raising produce for the benefit, and under the superintendence, of their owner, was a work clearly beyond the administrative capacity of any government. Induced therefore partly by the necessity of the case, partly, we may believe, by a wise policy, the Russian government has attempted to establish on the crown domains a different system of cultivation, including an almost total abolition of labor rents, and a voluntary and very considerable modification of the sovereign's power, as owner of the serfs. The villages inhabited by the peasants of the crown have been formed into a sort of corporations ; the surrounding lands are cultivated by them at a very moderate fixed rent or *abroc* : the serfs may securely acquire for themselves and transmit to others personal property, and what is a more important privilege, and one not always conceded to their class in neighbouring countries of more liberal institutions, (in Hungary for instance), they may purchase or inherit land.¹ In the tribunals instituted especially for the management of their corporations, two peasants, chosen by the body, have a seat and voice with the officers of the emperor.²

¹ This privilege was given in 1801, and in 1810 the peasants of the crown had purchased lands to the value of two millions of roubles in Bank assignments. During the same period, all the other classes (not being noble) had only purchased to the amount of 3,611,000 roubles in the same paper money.

² For a more detailed account of these alterations, see Storch, Vol. VI. Note xix. p. 266.

But the right to their personal services has not been wholly abandoned. The serf is so far attached to the soil as to be forbidden to leave his village unless with a special licence, which is only granted, when granted at all, for a limited term. The Russian monarchs have manufactures and mines conducted on their own account. The serfs on the crown lands are still liable to be taken from their homes and employed on these. They are hired out occasionally to the owners of such similar establishments as it is thought politic to encourage; and in some of the foreign provinces *united* to Russia, though not lately, it should seem, in Russia proper, they are liable to be sold, or to be given away, or granted with the soil for a term, to individuals whom the court wishes to enrich. Could this large portion of the population of the empire be thoroughly emancipated, completely freed from oppression, and enabled to collect and preserve capital, Russia would soon have a third estate and an efficient body of cultivators, fitted gradually to bring into action her great territorial resources. The tenants on the royal domains already appear to be, on the whole,¹ in a condition superior to that of the serfs of individuals, but the progress of their improvement is retarded by causes not likely soon to lose their influence. However earnestly the Emperors of Russia may shake off the character of owners of slaves, they will evidently be obliged for some generations to retain that of despots, and there is some danger that the ordinary defects of their form of government will mar their really humane efforts as landed proprietors. The officers of the Russian government are proverbially ill paid; oppression and extor-

¹ Storch, Vol. IV. p. 299.

tion still afflict the peasantry, and the condition of the serfs of the crown is sometimes even worse than that of the slaves of the neighbouring nobility.

In the mean time, the insensibility for which the body of the Russian peasantry have been renowned, seems to be giving away. Soon after the accession of the present Emperor, many of the tenants of the crown refused to pay their abroc or rents, and the serfs of individuals to perform their accustomed labor. A proclamation appeared, reproaching them with entertaining unreasonable expectations of being released from rents and services altogether, and threatening them, in a style which it must be confessed is truly oriental, with severe punishment if they even petitioned the Czar on such subjects again. But we must not judge the conduct of the Russian court by the harsh language of a proclamation issued on such an emergency. The spirit in which the Czars have dealt with their serfs has hitherto been evidently paternal. The form of their government is theoretically bad ; but Russia offers at present no materials for forming any not likely to be worse, and the gradual improvement in the condition of such a people, however slowly we see it proceed, is probably, after all, safer in the hands of the monarch, than it would be in their own, or in those of their masters the nobles.

SECTION III.

Of Labor Rents in Hungary.

IN Hungary, the nobles alone are allowed to become the proprietors of land, either by inheritance or purchase. They constitute about one part in twenty-one of a population

of eight millions.¹ Of the other inhabitants, a great majority are peasants ; for in 1777 there were only 30,921 artizans in Hungary, and their number is said to be not much increased.² These peasants occupy about half the cultivated surface of the country, and all pay labor rents.

Till the reign of Maria Theresa, their situation was nearly similar to that of the Russian serf. They were all attached to the estates on which they were born, and subjected to services and payments wholly indefinite. That Princess set the example of an earnest attempt to elevate their character, and improve their circumstances ; and the example has been followed in the neighbouring countries with zeal certainly, if not always with judgment or success. The results of her own efforts were extremely imperfect, and not always free from mischief : but it must be remembered, that those efforts were much cramped by the influence which the Hungarian constitution enabled the proprietors to exercise, in thwarting or modifying her measures for the emancipation of their tenantry.

By an edict of hers, which the Hungarians call the *Urbarium*, personal slavery and attachment to the soil were abolished, and the peasants declared to be "*homines liberæ transmigrationis*." On the other hand, they were declared mere tenants at will, whom the lord at his pleasure might dismiss from the estate. But an interest in the soil,

¹ Bright's *Hungary*, p. 110. The population of Hungary amounts by the last returns to nearly ten millions.

² In the year 1777, the whole number of handicraftsmen, their servants, and apprentices, in Hungary, amounted to 30,921 ; and this number does not seem, by more recent partial calculations, to have been much increased. — Bright, p. 205.

though denied to them as individuals, was attempted to be secured to them as a body. The lands on each estate, before allotted to the maintenance of serfs, were declared to be legally consecrated to that purpose for ever. They were divided into portions of from 35 to 40 English acres each, called Sessions.¹ The quantity of labor due to the proprietor for each session, was fixed at 104 days per annum.² The proprietor might divide these sessions, and grant any minute portion of them he pleased to a peasant; but he could stipulate for labor only in proportion to the size of the holding: for half a session 52 days, for a quarter 26 days, and so proportionably for smaller quantities.

The *urbarium* of Maria Theresa still continues the *magna charta* of the Hungarian serfs. But the authority of the owners of the soil over the persons and fortunes of their tenantry has been very imperfectly abrogated: the necessities of the peasants oblige them frequently to resort to their landlords for loans of food; they become laden with heavy debts to be discharged by labor. A long list of customary payments of flax, poultry, &c. are still due, which swell this account: the proprietors retain the right of employing them at pleasure; paying them, in lieu of sub-

¹ The size of these sessions seems to have differed in different parts of Hungary, probably in proportion to the fertility of the soil.

² Besides this he must give 4 fowls, 12 eggs, and a pfund and a half of butter; and every thirty peasants must give one calf yearly. He must also pay a florin for his house; must cut and bring home a klafter of wood; must spin in his family six pfund of wool or hemp, provided by the landlord: and among four peasants, the proprietor claims what is called a long journey, that is, they must transport 20 centners, each 100 French pounds weight, the distance of two day's journey out and home: and besides all this, they must pay one-tenth of all their products to the church, and one-ninth to the lord.

sistence, about one-third of the actual value of their labor :¹ and lastly, the administration of justice is still in the hands of the nobles ;² and one of the first sights which strike a foreigner on approaching their mansions, is a sort of low frame-work of posts, to which a serf is tied when it is thought proper to administer the discipline of the whip, for offences which do not seem grave enough to demand a formal trial.

But while the regulations of the *urbarium* have secured thus imperfectly the interests and liberty of the peasant, they are extremely embarrassing to the proprietors. A part of each estate is irrevocably devoted to the maintenance of the laborers, and that not fixed in reference to its extent and wants, but decided by the number of peasants who happened to be on it at the time of the edict. On some estates, as might be expected, the sessions devoted to the peasantry maintain more laborers than are now wanted. The labor rents, to that extent, are worth nothing to the proprietor, and unless he has an adjacent estate to employ the serfs upon, he gets nothing but the flax, poultry, and small produce payments to which they are liable. Some estates are wholly occupied by useless laborers ; on others there are too few ; and from the many ties which still connect the serf and his landlord, an interchange between different proprietors is rare, while from the unwillingness of the peasants to quit their hold, such as it is, upon the soil, free labor is still more so. All this part of the arrangement is evidently clumsy and inexpedient : it is probable it originated in a compromise between the wish of the Empress to secure the

¹ Bright, p. 115.

² Storch, Vol. VI. p. 308.

peasants some interest in the soil, and the dislike of the nobles to establish the independence of their serfs. The diet only confirmed the urbarium at first provisionally, till something better could be devised.¹ It appears from Schmalz, that similar attempts on the part of the sovereign, to secure to the peasants, as a body, the occupation of any land once cultivated by them, were common throughout Germany, and originated in the exemption of the lands cultivated by the nobles from direct taxation: when land once got into the hands of the peasant, it was available to the public revenue: hence many laws existed in different states, which forbade its resumption by the proprietor, without securing a definite interest in it to any individual tenant. Such laws necessarily created complicated and anomalous interests in the soil, and in many instances left in no hands any authority over it, which could be a sufficient basis for the most obvious improvements.²

Such a system, however, as established by the Urbarium, is still nearly universal throughout Hungary, and there is little immediate prospect of a change.

¹ Storch, Vol. VI. p. 308.

² Schmalz, *Econ. Polit.* (French translation, Vol. II. p. 109). Sans doute, ce sont les propriétaires eux-mêmes, qui ont donné lieu à la défense qui leur a été faite de reprendre leurs fermes des mains de leur paysans, parce qu'ils ont cherché, et qu'ils sont parvenus, à se faire dégrever des impôts que les paysans paient à l'état, et qu'en conséquence, l'état a intérêt à s'opposer à ce que les fermes ou métairies ne soient pas réunies au bien noble du seigneur foncier, et affranchies par là de la perception de l'impôt.

SECTION IV.

On Labor Rents in Poland.

THE Polish serfs, before the partition, seem to have been in a condition very similar to that of those of Hungary before the edict of Maria Theresa, differing little, if at all, from that of the Russian slave ;¹ but from the dark fate of Poland, the system of labor rents now presents itself, in different parts of what once formed that kingdom, under a considerable variety of modifications. In the portions seized by the partitioning powers, the arrangements between landlord and tenant have been influenced by the very different measures adopted by each in their own dominions ; while in what may now be called Poland proper, which became a Russian province at a later date, a system has arisen which is peculiar to it.

When in 1791 Stanislaus Augustus, and the States were preparing a hopeless resistance to the threatened attack of Russia, a new constitution, adopted too late, established the complete personal freedom of the peasantry. This boon has never been recalled. But this constitution did no more for them : it secured them no interest in the land they occupied : it did not even stipulate, like the Hungarian regulations, that a definite portion of the soil should be unalienably devoted to the maintenance of their class ; but it left them to arrange their contracts with the landowners as they could. Finding that their dependence on the proprietors for subsis-

¹ Till the reign of Casimir the Great, about the middle of the 14th century, the Polish nobles exercised over their peasants the uncontrolled power of life and death. Three days' labour was their usual rent.—Burnett's *View of present State of Poland*, p. 102. Appendix III.

tence remained undiminished, the peasants shewed no very grateful sense of the boon bestowed upon them: they feared that they should now be deprived of all claim upon the proprietors for assistance, when calamity or infirmity overtook them. This loss they thought more than balanced the value of an increase, to them at first merely nominal, in their political rights. It is only since they have discovered that the connection between them and the owners of the estates on which they reside is little altered in practice, and that their old masters very generally continue, from expediency or humanity, the occasional aid they formerly lent them, that they have become reconciled to their new character of freemen.

But although bestowed upon a people so far sunk as to be ignorant of its value, the gift of freedom has already developed its importance among them. Since the date of the emancipation of the Polish peasantry, another alteration in the laws has taken away the exclusive right of the nobles to be possessors of the soil, and introduced a new class of proprietors. These have been, on the whole, more diligent in pushing cultivation than their predecessors on their estates, and their enterprises have already created an increased demand for labor. The effects of this have shewn themselves in the only manner in which, in a country so occupied and so cultivated, they could shew themselves, in increased wages, obtained by increased allotments of land granted on the reserve of less labor, and with every encouragement to the peasantry to use their freedom, and migrate to the estates on which their labor is most wanted.¹

¹ See Mr. Jacob's *First Report*, p. 27. The Appendix to this *Report* contains some detailed returns from the managers of Polish estates, and taken

SECTION V.

On Labor Rents in Livonia and Esthonia.

THE state of the peasantry in Livonia is remarkable, because it presents the results of a deliberate experiment on the best means of gradually converting a serf tenantry into a race of freemen.

Till the reign of Alexander the condition of the Livonian peasantry was similar to that of the Russian slave. The servile condition of the cultivators had attracted some attention under the Empress Catharine, and she had encouraged the men of letters in her dominions to communicate their ideas on the best means of gradually modifying it. M. de Boltin, M. de Kaïsarof, and M. de Stroïnovsky, successively wrote upon the subject. The work of the last written in Polish was translated into Russian: it entered into a detailed account

with Mr. Bright's book, presents a perfect picture of the practical working of the system of labor rents in Poland and in Hungary. For a graphic sketch of the state of manners and morals it has produced, the reader may consult Burnett. In Poland, in Austria, and other parts of Germany, the proprietor's domain, with his implements, animals, and capital of all sorts, are sometimes let at a low money rent to a tenant, together with the right of exacting and using the labor due from the serfs. The superior tenant is, in Poland, very often a younger branch of the family, occasionally a stranger. This substitution of another person as cultivator of the domain, leaves, however, the labor rents of the serfs (our present object) precisely where they were. It is considered a very disastrous mode of disposing of the domain: the stock and capital are usually, as might be expected, ruined at the expiration of the lease; it is not now practised extensively; though it appears from Mr. Jacob's *Second Report*, to be now spreading in the North-west of Germany. It may, however, possibly prove hereafter, one stepping-stone to a different system; and if the dilapidation of the stock could be effectually guarded against, it most probably would do so.

of the measures proper to prepare and forward what was treated as a great and useful reform. Nor were these notions confined to literary men, or to individuals. In 1805 the whole body of proprietors in Esthonia agreed among themselves on some preliminary regulations for the peasantry on their estates, which, it was avowed, were meant to pave the way to their ultimate emancipation. These regulations received a formal sanction from the Emperor. The alterations in Livonia began a year earlier, and seem to have originated in minds equally alive to the importance of a change, and to the practical reasons for its being effected gradually. Their object appears to have been, to elevate the serf by degrees, and while that elevation was in progress, to retain considerable control over him, partly for his own advantage, partly to secure the interests of the proprietors. The personal liberty at first conceded to the peasant was much less complete than that of the Hungarian and Pole, for he was still attached to the glebe, and had no power of choosing his employment or residence. But a benefit was bestowed more important in the outset than freedom itself, to persons so wholly dependant on the soil for subsistence; a benefit which had been withheld from him in Hungary and Poland: every individual peasant was invested with a secure interest in the allotment of land which he cultivated.

The edict of the Emperor finally legalizing these regulations appeared in 1804. The Livonian serf was declared the hereditary farmer of the land he occupied. The rent was fixed in labor, to be performed on the domain of the proprietor. It was to leave the peasant master of at least two-thirds of his time. If this labor rent should at any time

be commuted for a money payment, the amount of that payment was limited and fixed, and it was never to be increased. A lease was to be granted on these terms, irrevocable, and only subject to forfeiture in case the rent should be two years in arrear; and then only after the decision of a legal tribunal, which was to direct the lease to be renewed to the next heir of the defaulter. Some rights of cutting both firewood and timber for building, in the proprietor's forests, were also reserved to the serf. He was enabled to acquire property in moveables or land, and to *marry at his own discretion*.

With all these privileges, however, he remains attached to the soil. He can no longer be sold away from it, but he is sold with it, or rather the benefits arising from his compulsory occupation of his allotment are sold with the rest of the estate: he is subject to a correctional discipline of fifteen lashes.

On the whole, these regulations do credit to the good feelings and good sense of the framers of them. The emancipation of the serf is incomplete; but it would have been evidently rash to have abandoned at once all control over the industry of so rude a race; on whose exertions the subsistence of the proprietors themselves, and the whole cultivation of the country, must for some time depend.¹ The successful results to be looked for from such an experiment could not be expected to appear at once; but it is unpleasant to observe the little effect apparently produced in fifteen years. Von Halen, who travelled through Livonia in 1819,

¹ For an instance of the bad results of a benevolent but ill-judged attempt at a hasty and complete emancipation, see Burnett, page 106.

observes, "Along the high road through Livonia, are found at short distances filthy public houses, called in the country Rhartcharuas, before the doors of which are usually seen a multitude of wretched carts and sledges belonging to the peasants, who are so greatly addicted to brandy and strong liquors, that they spend whole hours in those places, without paying the least regard to their horses, which they leave thus exposed to the inclemency of the weather, and which, with themselves, belong to the gentlemen or noblemen of the country. Nothing proves so much the state of barbarism in which these men have sunk, as the manner in which they received the decree issued about this time. These savages, unwilling to depend upon their own exertions for support, made all the resistance in their power to that decree, the execution of which was at length entrusted to an armed force."¹

The Livonian peasants, therefore, received their new privileges yet more ungraciously than the Poles, though accompanied with the gift of property, and secure means of subsistence if they chose to exert themselves. Subsequently their discontent appears to have taken a different turn. They are said to have constituted a part of the peasantry, against whom that edict of the Emperor Nicholas was directed, which accuses the serfs of wishing to throw off all rents and services at once.

¹ *Narrative of Don Juan Von Halen, &c.* Vol. II. p. 38. Don Juan was mistaken as to the date of the decree, which had been issued since 1804, by the Emperor Alexander, for partly emancipating some of the Livonian serfs.

SECTION VI.

Of Labor Rents in Germany.

WE shall understand better the present state of labor rents in Germany, if we previously recall to mind the downward progress of similar systems in other countries, from which they have disappeared gradually; because we shall then see distinctly the successive steps of that slow demolition, the progress of which Germany now in its different parts exhibits in many various stages.

We may take England for such a previous instance. Thirteen hundred years have elapsed since the final establishment of the Saxons. Eight hundred of these had passed away and the Normans had been for two centuries settled here, and a very large proportion of the body of cultivators was still precisely in the situation of the Russian serf.¹ During the next three hundred, the unlimited labor rents paid by the villeins for the lands allotted to them were gradually commuted for definite services, still payable in kind; and they had a legal right to the hereditary occupation of their copyholds. Two hundred years have barely elapsed since the change to this extent became quite universal, or since the personal bondage of the villeins ceased to exist among us. The last claim of villenage recorded in our courts was in the 15th of James I. 1618. Instances probably existed some time after this. The ultimate cessation of the right to demand their stipulated services in kind has been since brought about, silently and imperceptibly, not by positive law; for,

¹ Eden, Vol. I. p. 7.

when other personal services were abolished at the restoration, those of copyholders were excepted and reserved.¹

Throughout Germany similar changes are now taking place, on the land; they are perfected perhaps no where, and in some large districts they exhibit themselves in very backward stages. A short description of the condition of one state will make that of others intelligible; allowance must of course be made for an indefinite variety of modifications in the practice and phraseology of different districts.

The domain lands, those which in Hungary, Poland and many German states are still cultivated by the nobles themselves, are generally in Hanover let for a money rent to persons who occupy the domain as a farm, and have the benefit of the services which the peasant tenants are bound to perform. Some of these larger tenants, under the name of Amtmen, exercise the important territorial jurisdiction, still invested in the nobles, and kept alive and distinct even on the demesnal possessions of the crown.² The amtmen are not usually practical farmers themselves, but lawyers or officers of government, the only classes which seem to possess capital for such undertakings. They reside sometimes in towns, and employ stewards or bailiffs to look after their very large farms.³ These stewards are the best practical farmers in Germany, are usually well educated (often in the agricultural institutions); and are inferior in general and professional knowledge to no set of cultivators in the world.

¹ Sec 12th Charles II. c. 24.

² Hodgskin, Vol. II. p. 5. "The Amtman frequently unites," &c.

³ Hodgskin, Vol. II. p. 90.

It would be well for the strength and prosperity of Germany, if its soil were universally under such management. But by far the larger proportion, it has been loosely said four fifths, is occupied by a class of men called collectively Bauers. These, under another name, are the serfs, who in Poland, Hungary, and Russia, form the laboring tenantry of the nobles. When the laws are recollected, (passed as before remarked for fiscal purposes) which in many German states forbade the cultivation by the proprietor of any land which had once been in the hands of a bauer, the spread of this order and the proportion of the land occupied by them will not appear extraordinary. In some parts of Hanover these men now present themselves in two distinct classes, with a variety of subdivisions. They are called *Leibeigener*s and *Meyers*. The *leibeigener*s are in the state of the English villein, when his labor rent had ceased to be arbitrary, but was still paid in kind, after his hereditary claim to his allotment had been recognized. The *leibeigener* pays a labor rent, in kind, and cultivates the lands of the landlord, for a certain number of days in the year; brings home the lord's wood, performs other service when called upon, and is subjected to some most burthensome and vexatious restrictions as to the mode of cropping his land, which must be so arranged as to leave one third always in fallow, for the proprietor's flocks to range over. But still the conditions on which he holds the land are fixed; and it descends to his children. He is much in the position in which the Livonian proprietors have lately placed their serf tenants, except that he is not tied to the soil.

The *meyer* tenant is a bauer whose labor rents have been

commuted for money or a corn rent, and in some cases for a definite portion of the crops: though he is still liable to some trifling services. The proprietor cannot raise the rent, nor can he refuse to renew the lease, unless the heir be an idiot, or the rent in arrear: but as this tenure in many instances is modern, the rent often amounts to nearly the full value of the land. This tenure is gradually displacing that of the *leibeigens*, and the tenant under it is much in the position of the English copyholder, when he had ceased to perform services in kind, and before his quit rents had become a mere nominal payment. The *meyer* pays a fine on alienation.

In some cases the whole of an estate is occupied by *meyers* and *leibeigens*, and the proprietor has no domain land at all.

The *bauers* throughout Germany are nearly all free: chained by many ties to the soil, they are no longer the property of its proprietors, or legally confined to the spot they cultivate. But they have gained this freedom, not, as in England, by the gradual wearing out of their chains, but by the determined exertion of their sovereigns. A woman, Sophia Magdalena of Denmark, gave, in 1761, one of the earliest examples of this spirit. Between 1770 and 1790, it was followed by the Margrave of Baden and other minor princes. In 1781, Joseph II. abolished slavery in the German dominions of Austria. Since 1810 it has ceased in Prussia, and very lately in Mecklenburg.¹

The higher classes have partaken largely for many generations of the general civilization of Europe. To their lothing

¹ Schmalz, Vol. I. p. 104.

at the degraded condition of their inferiors, the latter owe an emancipation from personal thralldom, of which in some cases they hardly yet feel the full value. At the moment in which they became free men they became in some instances small proprietors, subject to a perpetual rent charge. To their forcible investment with this character in Prussia, we shall hereafter have occasion to advert.

SECTION VII.

HAVING now traced the system of labor rents from Russia to the Rhine,¹ we may quit it. Fragments of it indeed still subsist to the westward of the Rhine; the relics for the most part of a storm and inundation, which have passed over and away; but they are thinly scattered, and cease to give any peculiar form and complexion to the relations between the different orders of society.

Of these fragments however, one of the most interesting to us, subsists, under a very primitive form, in a corner of our own island. In the northern Highlands, the chief seems never to have been able to introduce either produce or money rents, exclusively, that is, to trust his people with the task of producing subsistence for himself and his households. Each chief therefore kept in his hands a considerable domain; the remainder of his country was parcelled out among the tacksmen or inferior gentry of the clan, and these again divided it among a race of tenants, who paid a large proportion of the stipulated rent in labor, poultry, eggs,

¹ On the very poor soils in the German provinces west of the Rhine, labor rents still, I am told, prevail.

and articles of domestic produce, exactly similar to those which form a part of the dues of the Hungarian peasant. In their rent rolls, *servitude* is included as a prominent and important article. The interest of the proprietors has led them, since 1745, to substitute for this race of tenantry, extensive sheep farmers. The cultivation of the old tenantry appears to have been slothful, ignorant, and inefficient, and their situation extremely miserable: but still these northern serfs, whose spirit had never been subdued by personal bondage, clung fondly to their homes, and have been removed, we know, only by a difficult and painful process.

The agent of the Marquis of Stafford has published an account of the changes now taking place in Sutherland, which contains a very interesting picture of the habits, character, and circumstances this system had produced there.¹ Its last relics are however fast wearing away, and when a few leases to existing tacksmen have expired, labor rents will finally disappear from Great Britain.

It has been common to speak of the services due from serfs throughout Europe as feudal services, and of the relation between them and the proprietors as part of the feudal system. This is by no means correct. The feudal ties originated in a plan of military defence, made necessary by the circumstances, and congenial to the habits, of the barbarians who had quartered themselves in Western Europe. The

¹ Those who wish thoroughly to understand the spirit and effects of the old Highland modes of dividing and cultivating the soil, and the consequences of the violent change effected since 1745, may consult the work of Lord Selkirk, published in 1805, entitled *Observations on the present state of the Highlands of Scotland, with a view of the causes and probable consequences of Emigration*; it will be found able, interesting, and instructive.

granter of a feud deliberately divested himself on certain specified conditions, of all right to the possession of the land which he abandoned to his vassal. The object in labor rents was produce alone: they arose in Europe as in the Society Islands, from a mode of cultivation which the rudeness of the people made necessary, if any rent at all was to be exacted from them: and the proprietor never deliberately divested himself of the right of resuming, at his pleasure, the possession of the allotments occupied by his serfs; though usage and prescription permitted, in the course of ages, a claim to hereditary occupation on their part to establish itself. The feudal system, with its scheme of military service, and nicely graduated scale of fealty and limited obedience, never made much way to the east of Prussia. But it is precisely in those eastern parts of Europe, that labor rents have prevailed the most widely and the longest. It would not indeed be difficult to shew, were this the place for it, that the multiplication of the feudal vassals who were freemen by virtue of their tenure and their swords, prevented labor rents from ever prevailing so exclusively over the surface of western Europe, as they have always prevailed, and do now prevail, over its eastern division.

SECTION VIII.

Summary of Serf Rents.

WE have observed serf rents, in the different countries in which they still prevail, and as they have been variously affected by time and circumstances. It will be convenient,

perhaps, to recall in a short summary the most marked features common to the system in all its modifications, and to collect into one view the general principles suggested by the facts to which we have referred. This plan we shall pursue with the other divisions of peasant rents, as we successively arrive at them.

Dependence of Wages on Rents.

The most marked feature of a system of serf rents, is one which it has in common with all the forms of peasant rents; and that is, the strict connexion it creates between the wages of labor and rents. The serfs constitute the great body of laborers in eastern Europe. The real wages of the serf, the wealth he annually consumes, depend on what he is able to extract from his allotment of land; and this again depends, partly on its extent and fertility, partly on the culture he is able to bestow upon it. But the labor he can exert for his own purposes is limited by that which he yields as a rent to his landlord. This varies of course in different countries, and occasionally from time to time in the same country, sometimes directly and avowedly, sometimes indirectly and almost insensibly. Thus in Hungary, the number of days' labor nominally due from the peasants for each session of land, is doubled in practice by the commutation into labor of many other dues, all trifling, and some very indefinite. In most places too, the authority of the landlord enables him, at very inadequate prices, to command, in addition to the labor formally due to him, as much of the peasant's time and exertions as he pleases. Where claims upon his time are thus multiplied, the ground

of the serf must be imperfectly tilled, and after a certain point, with each advance in the exactions of the landlord, the produce of the peasant's allotment, his real wages, must become less.

To understand, then, the condition of the serf laborers and the causes which determine the actual amount of their wages, a detailed account is necessary of their contract with the proprietors, and of the manner in which that contract is practically interpreted and enforced. This active influence of the nature and amount of the rents they pay on the revenues and condition of the labouring class, is one of the most important effects of the existence of a system of labor rents. We shall find however the same effect, produced in a somewhat different manner, characterizing peasant rents in all their forms.

Inefficiency of Agricultural Labor.

The next prominent feature of a system of labor or serf rents, is peculiar to that form of tenancy: it is, its singular effect in degrading the industrious habits of the laborers, and making them inefficient instruments of cultivation.

The peasant who depends for his food upon his labor in his own allotment of ground, and is yet liable to be called away at the discretion and convenience of another person to work upon other lands, in the produce of which he is not to share, is naturally a reluctant laborer. When long prescription has engendered a feeling, that he is a coproprietor, at least, in the spot of ground which he occupies, then this reluctance to be called from the care of it to perform his task of forced labor elsewhere, is heightened

by a vague sense of oppression, and becomes more dogged and sullen. From such men who have no motive for exertion, but the fear of the lash, strenuous labor is not to be expected. Accordingly, the exceeding worthlessness of serf labor is beginning to be thoroughly understood in all those parts of Europe in which it prevails.

The Russians, or rather those German writers who have observed the manners and habits of Russia, state some strong facts on this point. Two Middlesex mowers, they say, will mow in a day as much grass as six Russian serfs, and in spite of the dearness of provisions in England, and their cheapness in Russia, the mowing a quantity of hay which would cost an English farmer half a copeck, will cost a Russian proprietor three or four copecks.¹ The Prussian counsellor of state Jacob is considered to have proved, that in Russia, where everything is cheap, the labor of a serf is doubly as expensive as that of a laborer in England.² Mr. Schmalz gives a startling account of the unproductiveness of serf labor in Prussia, from his own knowledge and observation.³ In Austria, it is distinctly stated, that the labor of a serf is equal to only one third of that of a free hired laborer. This calculation, made in an able work on Agriculture (with some extracts from which I have been favored), is applied to the practical purpose of deciding on the number of laborers necessary to cultivate an estate of a given magnitude. So palpable indeed are the ill effects of labor rents on the industry of the agricultural population, that in Austria itself, where

¹ Schmalz, *Economie Polit.* French translation, Vol. I. p. 66.

² Schmalz, Vol. II. p. 103.

³ Vol. II. p. 107.

proposals for changes of any kind do not readily make their way, schemes and plans for the commutation of labor rents are as popular as in the more stirring German provinces of the north.

Labor rents have another bad effect on the national industry: the indolence and carelessness of the serfs are apt to corrupt the free laborers who may come in contact with them. "The existence of forced labor," says Schmalz, who lived in the midst of it, "habituates men to indolence; every where the work done by forced labor is ill done: wherever it prevails, day laborers and even domestic servants perform their work ill." A striking example of the mischievous influence of the habits formed by these labor rents, occurred lately in the north of Germany. A new road is at this time making, which is to connect Hamburgh and the Elbe, with Berlin; it passes over the sterile sands of which so much of the north of Germany consists, and the materials for it are supplied by those isolated blocks of granite, of which the presence on the surface of those sands forms a notorious geological puzzle. These blocks, transported to the line of road, are broken to the proper size by workmen, some of whom are Prussian free laborers, others leibeigeners of the Mecklenburg territory, through a part of which the road passes. They are paid a stipulated sum for breaking a certain quantity, and all are paid alike. Yet the leibeigeners could not at first be prevailed upon to break more than one third of the quantity which formed the ordinary task of the Prussians. The men were mixed, in the hope that the example and the gains of the more industrious, would animate the sluggish. A contrary effect fol-

lowed ; the leibeigeners did not improve, but the exertions of the other laborers sensibly slackened, and at the time my informant (the English engineer who superintended the road) was speaking to me, the men were again at work in separate gangs, carefully kept asunder.

In Prussia, before 1811, two thirds of the whole population consisted of leibeigeners, or of an enslaved serf tenantry, in a yet more backward state.¹ In other parts of eastern and northern Europe, similar classes compose a yet larger proportion of the people. Upon their hands, either as principals, or as the most essential instruments, rests the task of making the soil productive, the only species of industry yet carried on to any great extent. The inefficiency of this large portion of the productive laborers of the community, their dislike to steady exertions when working for others, their want of skill, means, and energy, when employed on their own allotments, must have a disastrous influence on the annual produce of the land and labor of their territory, and tend to keep their country in a state of comparative poverty and political feebleness ; which great extent, and the cheapness of human labor and life for military purposes, have only partially balanced.

Inefficient Superintendence of Labor.

The next peculiarity of a system of labor rents very considerably aggravates the bad effects of that inefficiency, which seems the inseparable characteristic of the labor of serfs. This peculiarity is the lax superintendence, the imperfect assistance of the landed proprietors ; who are

¹ Jacob's *Germany*, p. 235.

necessarily, in their character of cultivators of their own domains, the only guides and directors of the industry of the agricultural population.

The Russian, Polish, Hungarian, or German nobles, elevated, when not corrupted, by the privileges and habits of their order, have seldom inclination to bestow attention on the detail of the labors of husbandry; and perhaps yet more seldom the means of saving capital and using it.¹ Seed produced from the estate is sown by the labor of the tenants, who in due time gather the harvest into the barns of the proprietor. This process is repeated in a slovenly manner, till the land is exceedingly impoverished,² and is continued while there is a prospect of the smallest gain. These operations are contrived and directed as clumsily and negligently as they are executed.

There are exceptions no doubt; a few individual proprietors devote themselves with zeal to the improvement of agriculture. This may always be expected. When a similar race of tenantry occupied England, Robert de Rulos, the chamberlain of the Conqueror, distinguished himself by improvements which he introduced upon his estates, of sufficient consequence to induce the historians of the age to hand down his name to posterity, as a public benefactor. On looking now at the different countries of eastern Europe, we shall find a sprinkling of men who are the Roberts de

¹ The Russian government, hoping to remedy this last defect, established a bank for the express purpose of advancing loans to the nobles to be employed in improving the cultivation of their estates. The experiment did not succeed. The nobles were observed to grow suddenly more expensive, but their estates remained as they were. Storch, Vol. IV. p. 288.

² Jacob's *First Report*.

Rulo of their day ; but it would be hopeless and irrational to expect, that a race of noble proprietors, fenced round with privileges and dignity, and attracted to military and political pursuits by the advantages and habits of their station, should ever become attentive cultivators as a body.

There remains for them the expedient of educating and employing able and scientific managers, and on a few of the large estates, belonging to rich proprietors, this is very carefully and well done. But the training and employing such a class of men, is first very expensive, and is then nearly useless unless they can be supplied freely with capital as the means of carrying into effect the improved systems which they have been taught. These circumstances confine to narrow limits the number of estates conducted by such a description of managers ; and taking large districts only into account, the paucity of mind and skill, steadily applied to agriculture, and the poor use which is made of the reluctant labor of the peasantry, furnish another striking feature of the system of cultivation by a serf tenantry.

Small numbers of independent Classes.

The two circumstances just pointed out, the indolence of the laborers, and the inefficiency of the directors of labor, are causes which make the agricultural produce of countries cultivated by serfs, extremely small when compared with their extent. It follows that, even where the whole of the raw produce raised is consumed at home (which from other causes it rarely is), still, after the peasantry have been fed, the numbers of the non-agricultural classes maintained, are small.

We have seen that in Prussia two thirds of the whole population were bauers: in other parts of the east of Europe, the numbers of the classes not connected with agriculture are yet smaller, compared with the extent of their territory, or the gross amount of their population. In Hungary, we have observed that there were but thirty thousand artizans when there were eight millions of inhabitants, and no where does the number of the class which is unconnected with the soil reach the size at which it may be observed in countries cultivated under better systems.

Authority of Landlords over Tenants.

Another marked and important effect of a system of labor rents, is the constant coercion which is necessary to make it to any extent efficient, and the arbitrary authority this circumstance throws into the hands of the landlords, under any possible modifications of the tenure. We have seen that at one stage of their progress throughout Europe, the serfs have almost universally been at one time actual slaves. This extreme state of things has indeed changed, except in Russia alone. But the authority of the proprietors over the serfs, exercised through the medium of judicial tribunals, in which the nobles are the judges, has not ceased to be extremely arbitrary. While the system of labor rents exists to any practical purpose, this can hardly be otherwise. While large domains are cultivated by agricultural labor, due from a numerous tenantry, the necessary work must be delayed, embarrassed, and frequently altogether suspended, if a lawsuit before independent tribunals were the only mode of

settling a dispute with a reluctant or refractory laborer.¹ Hence the judicial power has rarely, if ever, been abandoned by the proprietors, even where the personal freedom of the serf has been recognized. The Hungarian noble still exercises criminal and civil jurisdiction by his officers. Even in Germany, where the authority of the general government has made more way, and where the system of labor rents is in a more advanced stage of decomposition, the whole country till very recently was covered by domainial tribunals, which were at one time divided and multiplied to such excess, that the jurisdiction of some of them is said to have comprehended only a dwelling-house, and as much ground as is found within the line marked by the water-drip from the eaves.² On the estates of the sovereign and of large proprietors, this authority is usually administered by the Amtmen, who, either as tenants or stewards, have charge of the domain.

In the west of Europe, as in France for instance, the pride of the nobility, and the connivance or indolence of the government, kept these tribunals in existence, long after the altered relations of the cultivators and their landlords had

¹ See Jacob's *Germany*, p. 342, for an instance of the manner in which the rights of the proprietors are frustrated when they are by chance driven to the tribunals. The Saxon courts of justice seem to be actuated, when they have an opportunity to interfere between proprietor and tenant, by the same bias towards freedom which did honor to those of England, and seem too to approach their object with much of the astuteness which suggested some of our own legal proceedings.

² Hodgskin, Vol. II. p. 6. In Hanover, some of these minute patrimonial courts have been abolished; but there are still, or were, so late as 1819, no less than 160 local tribunals on the royal domain, besides all those belonging to individual proprietors and to towns.

made them useless : but in the east of Europe it would really be difficult to dispense with them : and where the sovereigns are alive to the inconvenience of these petty tribunals (which they do not seem always to be), they will hardly venture on depriving the proprietors of all summary authority over their tenantry, while any considerable portion of their territory is made productive by the use of labor rents alone. So naturally does the usefulness of this jurisdiction of the proprietors accompany the existence of labor rents, that I perceive by the public papers, in some parts of the Danish dominions, where a general commutation of these rents has taken place, the proprietors have made a voluntary offer to the crown of abandoning their judicial authority altogether.

The serf, however, who is liable to have claims upon his time and labor interpreted, and summarily enforced, by the person who makes those claims, can never be more than half a freeman, even when he has ceased to be wholly a slave.

The Power and Influence of the Aristocracy.

The subjection of the serfs to the proprietors, under all the modifications of their tenure, throws inevitably great power and influence into the hands of the landed body. The landholders themselves may enjoy very different measures of political freedom. We may observe them, wholly unawed by the crown, exercising the wild licence of the Polish nobility ; or, when united with other states under a powerful sovereign, as in the case of Hungary, still able to maintain the privileges of their order with a degree of independence which the government feels it would be impolitic to provoke, even though it were possible to overwhelm it :

or we may see them, as in Russia, so circumstanced, that legal bounds to the power of the sovereign are unthought of. Still in all these different cases the power of the aristocracy over the mass of the people creates a moral influence, which must be felt by the general government, and, if not obeyed, must to some extent be attended to. From this influence, even the absolute government of the Russian Emperor receives an unacknowledged but powerful check, sufficient to distinguish it from an Asiatic despotism, to ensure a wholesome dominion to forms and usages, and to prescribe decency and limits even to caprice and injustice. Amidst the mischiefs incident to this mode of occupying the soil, this political effect must be distinguished as being, when reacting on a strong general government, the source of benefits to the people which are important though imperfect. It has for many centuries staved off unlimited despotism from a large portion of Europe.

As the general government becomes feeble, the influence of such an aristocracy may be expected of course to shew itself more active and dominant ; and then there are doubtless instances of its assuming the form of a national evil.

Want of Popular Influence in the Political Constitution of such Countries.

The small numbers and small importance of the classes who are independent of the soil, the absence on the soil itself of any class like our farmers, the abject dependence of the serfs on the proprietors, make any real influence of a third estate in the constitution of countries in which labor rents prevail utterly nugatory. The government of such

countries must be shared by the sovereign and the aristocracy: it may be shared very unequally; they may control each other in different degrees; but on their joint authority alone the public power must rest. Tracing back the history of our own country we observe, that while a similar system prevailed in England, the absence of any efficient third estate, made our government a rude mixture of monarchy and a landed aristocracy, struggling fiercely, and each threatening to extinguish the other in its turn. It is the very same want of a third estate, which makes it so difficult to establish in many continental nations, those imitations of the actual English Constitution, which we have seen of late frequently attempted. Before the people of eastern Europe can have governments, of which the springs and weights really resemble those of the English, a space of time must elapse sufficient to introduce very different ingredients into their social elements. Till then, we may expect to see yet more well-meant attempts of sovereigns and nobles end in disappointment. And when society has undergone the necessary change, serf rents, we may venture to predict, will have been superseded, and will have ceased to exist: except perhaps in some obsolete shapes and names, from which, as in the case of the copyholds of England, all life and power have departed.

What determines the Amount of Labor Rents.

The value of serf or labor rents, the advantages which the proprietor derives from the lands allotted to the serfs, depend partly upon the quantity of labor exacted, and partly upon the skill used in applying it. The proprietor, there-

fore, may increase the rent of the land held by his serfs, either by exacting more labor from them, or by using their labor more efficiently.

If more labor is exacted from the serf, he is in fact thrust farther downwards in the scale of comfort and respectability ; his exertions become more reluctant, more languid, and inefficient ; the proprietor gains little by his increased services ; the community gains nothing by the rise of rents ; for if the lands held by the proprietors be better tilled by the additional culture bestowed upon them, those held by the serfs must be worse tilled when labor is withdrawn from them. The second mode of increasing the rents of the lands held by the serfs, the using the labor of the tenantry more skilfully and efficiently, is attended by no disadvantages. It leads to an unquestionable augmentation of the revenues of the nation. The lands held by the proprietors produce more, those held by the serfs do not produce less. But the unfitness of the proprietors, as a body, to advance the science of agriculture, or improve the conduct of its details, makes this mode of increasing the rents derived from the lands which the serfs hold, rare. It would be visionary to count upon it as the source of any general improvement in the revenues of the landed class.

A change from Labor Rents to Produce Rents always desirable.

The illusory nature of all attempts to increase labor rents by exacting more and more labor from the serfs, and the repugnance of the proprietors, as a body, to the task of increasing their revenue by the better application of the labor due to them, make us conclude that the substitution

of produce or money rents is the only step by which the interest of the landlords of serfs can be substantially and permanently promoted. It is impossible to cast an eye on what is passing in the east of Europe without seeing how deeply this is felt by the proprietors themselves. The irksomeness of the task of superintending the operations of agriculture, the uncertainty of their returns, and the burthensome nature of their connexion with their tenantry, make them every where anxious for a change. To these motives we must add first, the gradual increase in some districts of the prescriptive rights of the serfs to the hereditary possession of their allotments; which makes them the more unmanageable and less profitable tenants; and then the example of western Europe, with which the proprietors of its eastern division are familiarly acquainted; and which presents to them a race of landlords freed from almost all the vexations and embarrassments with which the management of their own estates is encumbered. In the desire of the proprietors for a change, the governments have joined heartily. A wish to extend the authority and protection of the general government over the mass of cultivators, and to increase their efficiency, and through that the wealth and financial resources of the state, has led the different sovereigns always to co-operate, and often to take the lead, in putting an end to the personal dependence of the serf, and modifying the terms of his tenure. To these reasons of the sovereigns and landlords, dictated by obvious self-interest, we must add other motives which do honor to their characters and to the age, the existence of which it would be a mere affectation of hard-hearted wisdom to doubt; namely, a

paternal desire on the part of sovereigns to elevate the condition, and increase the comforts, of the most numerous class of the human beings committed to their charge; and a philanthropic dislike on the part of the proprietors to be surrounded by a race of wretched dependents, whose degradation and misery reflect discredit on themselves. These feelings have produced the fermentation on the subject of labor rents, which is at this moment working throughout the large division of Europe in which they prevail. — From the crown lands in Russia, through Poland,¹ Hungary, and Germany, there have been within the last century, or are now, plans and schemes on foot, either at once or gradually to get rid of the tenure, or greatly to modify its effects, and improve its character; and if the wishes, or the authority, of the state, or of the proprietors, could abolish the system and substitute a better in its place, it would vanish from the face of Europe. The actual poverty of the serfs, however, and the degradation of their habits of industry, present an insurmountable obstacle to any general change which is to be complete and sudden. In their imperfect civilization and half savage carelessness, the necessity originated which forced proprietors themselves to raise, the produce on which their families were to subsist. That necessity has not ceased; the tenantry are not yet ripe — in some instances, not riper than they were 1000 years ago — to be entrusted with the responsibility of raising and paying produce rents. But as

¹ In the work (several times before quoted) of Mr. Burnett, of Balliol College, Oxford, entitled *A View of the present State of Poland*, the reader will find some curious details of the state of loathsome moral degradation to which the Polish peasants are reduced. The author was for some time private tutor in a Polish family.

the past progress and actual circumstances of different districts are found unlike, so their capacity for present change differs in kind and degree. Hence the great variety observable in plans for altering the relations between the serf tenantry and their landlords. Such a variety is exhibited in the *Urbarium* of Maria Theresa, in the edict by which the views of the Livonian nobility were made law; in the constitution of Poland, and in the decrees of the sovereigns of smaller districts. The ameliorations produced by these steps are valuable, if, after having worked successfully for some time, they prepare the way for two great measures which are the aim of all parties in a more advanced state of society, that is, first, the general commutation of the revenue derived from the allotments of the serfs into produce rents, and then, the establishment on the domains held by the proprietors themselves of a race of tenantry able to relieve them from the task of cultivation, and to pay either produce or money rents. But these results are difficult and distant. The manner in which such a change was effected in England, is that in which it is most easy and safe. It was the growth of centuries; it took place insensibly: the villeins we know gradually assumed the character of copyholders paying fixed dues, which again were slowly commuted for money: in the mean time, the growth of the free population multiplied the numbers of hired laborers, by whose assistance the proprietors might cultivate their domains, without serf labor; and the increase and progressive prosperity of an intermediate class of agricultural capitalists supplied, after a long interval, a race of men fitted to relieve the proprietors from the charge of agriculture altogether, and enabled to pay their

rents in money from the increase of internal commerce, and of the market provided by non-agricultural classes for their produce. A process similar to this has been going on in the western part of Germany, though it is yet far indeed from being complete there. The enslaved serf has become a free *leibeigener* with fixed services: the *leibeigener* is changing gradually into a *meyer*, whose services are commuted for produce or money; some few¹ free laborers exist, and are hired by the proprietors who farm their domains; and of these domains a new race of tenantry are in some instances beginning to take possession, advancing the necessary capital, paying money rents, and discharging the land-owners from all share in the task of cultivation.

In the mean time, it is not surprising that the sovereigns and proprietors of countries further east, who see this process hardly begun amongst themselves, and know that it may take centuries to complete itself, should feel impatient of such delay in the career of their improvement, and determine forcibly to anticipate the slow advance of unpurposed change.

The Prussian government has taken the most decisive and extensive measures in this spirit. Throughout a great part of Prussia, the serfs had acquired prescriptive rights, either to the hereditary possession of their allotments, or to the occupation of them for life; rights which, though imperfect, made any marked change difficult. To declare the serfs mere tenants at will, would have had the appearance of great harshness, and could not probably have been attempted on a large scale, without violence and convulsion. To declare

¹ They are very few.

them proprietors of the soil they occupied, was not doing justice to the fair claims of the landowners. The government steered a middle course. In 1811 labor rents to the east of the Elbe were suppressed, and it was decided, that the peasants who had acquired an hereditary right to their allotments should pay the proprietors a third of the produce : that those who had only a claim to a lifehold possession should pay half the produce : the peasants were to find all capital and to pay all expences and taxes.¹

These rents are heavy : half the produce, the tenants providing capital and paying all expences, is the heaviest rent known in Europe, with the exception of those paid by the Neapolitan metayers, whose soil will bear no comparison with the Prussian sands, and is in fact unrivalled for productiveness and easy tillage. It is not surprising that some of the serfs should have declined to accede to the arrangement, although it delivered them from a state of virtual² bondage, and guaranteed their right to possession.

Two great objects were sought by this arrangement ; the improvement of the condition of the peasantry, and the promotion of good agriculture among the proprietors. Its immediate effects have been to divide the surface of the country between a race of small proprietors subject to a heavy rent charge, and a body of large landholders farming their own domains. That the condition of the peasants will

¹ Different statements have been published as to the terms of this general commutation. Schmalz, however, who was "conseiller intime" of the King of Prussia, and Professor "du droit public" at Berlin, must be considered unquestionable authority. Schmalz, Vol. II. p. 105.

² Personal bondage had legally ceased to exist from the 10th November, 1810. Schmalz, Vol. II. p. 103.

be at first improved, supposing them not to be weighed down by the rents, is sufficiently clear ; their future progress, however, justifies some apprehensions : they are exactly in the condition in which the animal disposition¹ to increase their numbers is checked by the fewest of those balancing motives and desires which regulate the increase of superior ranks or of more civilized people, and if the too great subdivision of their allotments is not guarded against in time, they will probably, in the course of a very few generations, be more miserable than their ancestors were as serfs, and will certainly be more hopeless and helpless in their misery, since they will have no landlord to resort to. In the mean time a race of free laborers will doubtless spring up, with whose assistance the proprietors *may* institute a better course of husbandry on their domains, but they will still have to provide capital, attention, and science, and in the two first of these it is to be feared that, as a body, they will always be deficient. More advances must be made by them in money than when they cultivated with the assistance of their serfs, and this circumstance will increase their difficulties and multiply the chances of their failure. After all, the task of cultivation is ungenial to them. Their objects will never be fully attained till a race of tenantry appears, able to advance the necessary capital and undertake for a money rent. These are likely to appear slowly in Prussia, even though they should appear there much less slowly than in some of the surrounding nations. The body of the

¹ The actual disposition of the population to increase with extreme rapidity shews that these apprehensions are far from fanciful. See Jacob's *Second Report*.

peasants, it is tolerably evident already, will not grow rich enough to supply them, and they must spring out of the bosom of other classes. The comparative numbers, and therefore joint wealth of these are small, and the process, by which they can become the farmers of all the domains of an extensive country, must be slow indeed.

In the mean time, there will be great differences in this respect between different parts of Germany. Amtmen, who occupy the land, not as agents, but tenants, are already common in some states : in others almost unknown. Those districts of course will profit the most rapidly and largely by the late changes, which were approaching themselves to the condition in which they are now placed, and were provided with some of the elements of a new and better state of things. Those in which the actual changes were prepared by no spontaneous advances, will for some time disappoint, it is to be feared, in a great degree, the benevolent impatience of those statesmen, who wished to speed them forcibly in paths of improvement, which they are not full grown and strong enough to tread readily.

Leaving however individual instances, and surveying the whole broad mass of labor rents throughout that larger division of Europe in which they still preponderate, either entire, or in different stages of decomposition, it will be sufficiently obvious, that some ages must elapse, before those new elements of society are perfected, and that better state of things matured, in which this mode of tenure is destined finally to merge. For a long and indefinite period now before us, therefore, the ancient system of serf rents, modified in its forms, but enduring in its

effects, will imprint much of their character on those imperfect institutions which are slowly springing up from its decay. The future progress of eastern Europe, the sources of its wealth, and strength, and all the elements of its social and political institutions, will continue to be mainly influenced by the results of the gradual alterations now taking place in those relations between the proprietors and cultivators of the soil, which have hitherto formed the rude bond by which society has been held together. The progress, however, of this, the larger part of the most important division of the globe, must for some generations be a spectacle of deep interest to us, to their immediate western neighbours, and to all the nations, in fact, who have hitherto kept the lead in the career of European civilization. We see the masses of people who occupy the eastern and northern divisions of our quarter of the earth, stirring and instinct with a new spirit of life and power, beginning to acquire fresh intellect and a less shackled industry, and to unfold more efficiently the moral and physical capabilities of their huge territories. They already assume a station in Europe somewhat proportioned to the extent of their natural resources; and the fate of those nations which have hitherto been the depositaries of the civilization of the modern world, is for the future inseparably connected with events, which the career of these powerful neighbours must engender. We cannot but see how intimately the course of that career is dependent on present and future changes in the system of labor rents, and for this cause surely, if for no other, that system deserves the careful attention of all who may apply them-

selves to the task of explaining the nature of the *rent of land*, and examining its influence on the character and fortunes of different nations.

Those indeed, who value what is called political economy, chiefly because it leads to an insight into the manner in which the physical circumstances, which surround man on earth, develop or sway his moral character, will feel interested on yet higher grounds in tracing the effects of a system, springing out of that common necessity, which, for a long period in the growth of nations, binds the majority of their population to the earth they till; a system, which has continued for a series of ages to stamp its peculiar impress on the political, the intellectual, and moral features of so large a division of the human race.¹

¹ When these pages were first written, I had not seen the *Second Report* of Mr. Jacob, which has since been published in a form suited to general circulation. That gentleman has lately been on the spot, and has cast his extremely acute and practised eye upon the actual condition and probable progress of the agricultural portion of eastern Europe. He has come to results remarkably similar to those which I had ventured to suggest from a more distant and general knowledge of their circumstances. The still predominant influence of labor rents: the general want of capital among the proprietors: the rapid increase in the numbers of the peasant cultivators which has been taking place since their dependence on the landlords has been less servile: the feeble beneficial effects on agriculture and on the general composition of society which in twenty years have sprung from the strong measures of the Prussian government: the difficulties which every where oppose themselves to all sudden changes in the old system of cultivation: the strong apparent probability that the future progress in the eastern division of Europe will not, with all the efforts that are making, be much more rapid than that of this country when emerging from a similar state of things; all these are points on which I can now refer with very great satisfaction to the local knowledge and authority of Mr. Jacob, in support of the suggestions I have here thrown out. See *Second Report* passim, but more especially 140 and the following pages.

CHAPTER III.

SECTION I.

Metayer Rents.

THE Metayer is a peasant tenant extracting his own wages and subsistence from the soil. He pays a *produce* rent to the owner of the land from which he obtains his food. The landlord, besides supplying him with the land on which he lives, supplies him also with the stock by which his labor is assisted. The payment to the landlord may be considered, therefore, to consist of two distinct portions: one constitutes the profits of his stock, the other his rent.

The stock advanced is ordinarily small. It consists of seed; of some rude implements; of the materials of others which the peasant manufactures; and of such materials for his other purposes as the land itself affords; building timber, stone, &c. and occasionally of some draft animals. If not assisted by the productive powers of the soil, by the machinery of the earth, this stock would either be wholly insufficient for the permanent maintenance of any laborers, or, turned into some other shape, it would provide for the temporary support of a very small number. When applied, however, to assist the peculiar powers of the earth, this small stock is found sufficient to enable a numerous body of laborers permanently to maintain themselves; and

in the produce of their industry the landlord shares. The produce which the possession of land has thus enabled him to acquire, and which without the land he could not have acquired, is that portion of the annual produce of the labor of the country which falls to his share as a land-holder. It is rent. The rest is profits. In the more advanced stages of civilization, it is easy to decide in each particular case, what proportion of the landlord's revenue from a metayer farm is rent, and what proportion profits. In the ruder stages, it is more difficult; but we shall have occasion to advert to this hereafter.

The existence of such a race of tenantry indicates some improvement in the body of the people, compared with the state of things in which serf rents originate. They are entrusted with the task of providing the food and annual revenue of the proprietor, without his superintending, or interfering with, their exertions.

The metayer, then, must be somewhat superior in skill and character to the serfs, whose industry can be safely depended on by the proprietor, only while exercised under his direct control, and whose rents are therefore paid, not in produce, but in labor. But still the advance of stock by the proprietor, and the abandonment of the management of cultivation to the actual laborers, indicate the continued absence of an intermediate class of capitalists; of men able to advance from their own accumulations the food of the laborer and the stock by which he is assisted; and thus to take upon themselves the direction of agriculture. The metayer system indicates, therefore, a state of society, advanced, when compared with that in which serf rents

prevail ; backward, when compared with that in which rents paid by capitalists make their appearance.

It is found springing up in various parts of the world, engrafted occasionally on the serf rents we have been reviewing, and more often on the system of ryot rents we have yet to examine. But it is in the western division of continental Europe, in Italy, Savoy, Piedmont, the Valteline, France, and Spain, that pure metayer tenantry are the most common, and it is there that they influence most decidedly the systems of cultivation and those important relations between the different orders of society, which originate in the appropriation of the soil. Into those countries, once provinces of the Roman Empire, they were introduced by the Romans, and, to discover their origin in Europe, we must turn back our eyes for an instant on the classical nations of antiquity.

SECTION II.

Of Metayer Rents in Greece.

GREECE, when it first presents materials for authentic history, was, for the most part, divided into small properties cultivated by the labor of the proprietors, assisted by that of slaves. But before we observe how this state of things led the way to the establishment of metayer rents, it should be remarked, that relics of a system which even in those days bore the marks of antiquity, and was becoming obsolete, were still to be seen in many districts of Greece.

Irruptions from other countries, as to the details of which the learned dispute in vain, had, previous to the æra of

historical certainty, filled several provinces of Greece with foreign masters. These people, in some instances at least, found the original inhabitants acquainted with agriculture, the toils of which they had no inclination, perhaps not sufficient skill, to share. They converted therefore the husbandmen into a peculiar species of tenantry, differing from the serf tenantry of modern Europe in this, that though attached to the soil, and a sort of predial bondsmen, they paid, not labor, but produce rents, and belonged, in some remarkable instances, not to individuals, but to the state. These tenants were called in Crete *Periœci*, *Mnotœ*, *Aphamiotœ*; in Laconia *Periœci* and *Helots*; in Attica *Thetes* and *Pelataœ*; in Thessaly *Penestœ*, and in other districts by other names.¹

The produce rents, which this tenantry were bound in Crete to pay to the government, enabled the legislators of that island to establish public tables in the different dis-

¹ This sketch of the tenantry peculiar to early Greece might have been made more extensive and perhaps more precise. They may be traced in many other districts, and some distinctions might certainly be drawn between the classes named: but this is a subject into the details of which it would be difficult to enter, without either launching into lengthy discussion, or stating shortly as facts, what are really only conjectures. Those who may wish to follow the matter up to the original testimony, on which all conclusions relating to it must rest, may consult Ruhnken's notes on the words *πελάτης* and *περιστικόν* in his edition of the Platonic Lexicon of Timæus, two notes relating to the institutions of Laconia and Crete, affixed to Göttling's edition of Aristotle's *Politics*; and above all Müller's elaborate history of the Dorian states, a valuable work, for a translation of which the English public are about to be indebted, and very deeply indebted certainly, to Messrs. Tuffnell and Lewis. While referring to the two last of these German writers, it may be right to mention that there are one or two points on which I must venture to dissent from their conclusions: these are shortly noticed in Appendix IV.

tricts, at which the freemen and their families were fed.¹ This institution Lycurgus established or renewed at Lacedæmon, where the tables were supplied by the produce of the industry of the Helots; and wherever Syssitiæ or common tables can be traced, it is at least probable, that they were supplied by a similar race of tenants.

In Attica, the existence of the Thetes or Pelatæ (as this tenantry were there called) exercised no such influence on the general habits of the citizens as it did in Crete, in Sparta, and in other Dorian states; and when they were restored by Solon to personal freedom, though not to the political rights of citizens, the alteration led to no striking results.²

It requires indeed some little attention to discern their past existence among the Athenians; and the details of their condition are now perhaps out of the reach of research. *Μορτή* was the name applied indifferently, it should seem, both to the share paid as rent and that retained by the Thetes. The rent usually consisted of a sixth of the produce, hence their name of *έκτημόριοι*, sometimes it was a fourth, and then the Pelatæ were said *τετραχίζειν*. The Penestæ of Thessaly were a body of similar tenantry. With the exception of the districts occupied

¹ Aristotle's *Politics*, Book II.

² Bœckh, however, seems of opinion that at one period of the history of Attica, *all* the cultivators of its territory were Thetes. (Vol. I. p. 250. English Translation.) They may have been so; but it is impossible, I think, to read the fifth book of the *Memorabilia*, (the *Οικονομικός λόγος*) of Xenophon, without feeling persuaded, that in his days the very memory of such a state of things was gone. The Thetes continued to exist as a class in the state long after they had ceased to be its exclusive cultivators, if they ever were such.

by this peculiar species of tenantry, and of the lands belonging to towns which seem often to have let for terms of years at money rents, the lands of Greece were very generally in the possession of freemen, cultivating small properties with the assistance of slaves.

Slaves were very numerous. Men distributed like the Greeks into small tribes of rude freemen, surrounded by similar tribes, probably exhibit the pugnacious qualities of human nature in the highest degree known. It has often been observed with truth, that in such a state of society the appearance of domestic slavery indicates a considerable softening of the manners. When warrior nations have found out the means of making the labor of captives contribute to their own ease, they preserve them. Before they have made such a discovery they put them to death. Among the North American Indians, the labor of no man will do more than maintain himself; no profit is to be made of a slave; hence, unless the captive is selected to take upon himself in the character of a son or husband the task of protecting and providing food for a family deprived of its chief, he is invariably slaughtered. Some tribes of Tartars on the borders of Persia massacre all the true believers who fall into their hands, but preserve all heretics and infidels; because their religion forbids them to make slaves of true believers, and allows them to use or sell all others at their pleasure.

The Greeks used the slaves, with which their frequent wars supplied them, in all kinds of menial and laborious occupations, and a notion that such occupations could not be filled without slaves, became so familiar, that even their

acutest philosophers seem never to have doubted its accuracy or justice. A commonwealth, says Aristotle, consists of families, and a family to be complete must consist of freemen and slaves,¹ and in fixing on the form of government, which according to him would be most perfect, and conduce the most to the happiness of mankind, he requires that his territory should be cultivated by slaves of different races and destitute of spirit, that so they may be useful for labor, and that the absence of any disposition to revolt may be securely relied on.² The condition of Africa is now in this particular, much like that of Greece then. One of the late travellers was explaining to an African chief that there are no slaves in England. "No slaves," exclaimed their auditor, "then what do you do for servants?"

In Greece the labor of cultivation was at first shared between the master and slave. This must always be while properties are small; and accordingly it was so in Latium. Cincinnatus would have starved on his four acres, had he trusted to the produce slaves could extract from it, and neglected to lay his own hands on the plough. But as civilization went forward in Greece, properties became enlarged. The proprietors clung to cities; where popular governments offered to the active duties to perform, and objects of ambition to aspire to, and to the indolent and voluptuous every species of pleasure, made more seducing

¹ *Pol.* Book I. Chap. iii. οἰκία δὲ τέλειος ἐκ δούλων καὶ ἐλευθέρων.

² *Aristot. Pol.* Book VII. Chap. x. If these cannot be obtained, Aristotle expresses a wish for barbarian *periœci* (compounds of the serf, metayer, and slave) of similar dispositions.

by all the embellishments that could be created by a taste and fancy, which seem to have belonged to those times and to that people alone. By such occupations and amusements many of the leading Grecians were so engrossed, that they refused to give up even the time and attention necessary to command their household slaves.¹ Those who still attended to the management of their farms must have found the task difficult and hazardous. Xenophon has left an accurate picture of the mode in which the Grecian gentlemen of his day conducted the cultivation of their estates. In one of the dialogues of the *Memorabilia*, Socrates relates a conversation he had had with Ischomachus, who was by the confession of all, men and women, foreigners and citizens, *Καλὸς καὶ ἀγαθὸς*, an accomplished and good man. Ischomachus details those particulars of his domestic economy which had principally earned for him this general praise, and explains at large his management of his household, his wife, and finally his estate. It appears in the progress of the dialogue, that the estate of Ischomachus was within a short distance of Athens, that he rode to it very frequently, paid it much personal attention, and superintended all its arrangements with great care. While cultivation was carried on under the superintendance of such men; while proprietors freed from all necessity of personal labor, liberal, learned, and wealthy, sedulously applied the powers of their minds to agriculture, the art made rapid progress, and a succession of writers on the subject ap-

¹ Arist. *Pol.* Book I. Chap. iv. Those who are able to escape these vexations, procure a steward to undertake the task; while they themselves attend to politics or philosophy.

peared in various parts of Greece, whose works evidenced both the quantity of intellect applied to the unfolding the resources of the soil, and the actual progress of cultivation.

But causes which destroyed this system of managing the land were silently at work. Even Ischomachus was obliged to rely much on his *ἐπίσκοποι* or overseers; slaves who were very carefully trained as bailiffs, like the Roman *villici*. All estates, however, could not be like his within a ride of the capital; the more distant were necessarily confided almost wholly to these managing slaves; and their management, unless they differed utterly from all other slaves similarly trusted, must have been very generally careless and bad. As Greece too became consolidated, first by the Macedonian, then the Roman influence, the possessions of individual proprietors naturally extended themselves over a larger space, and profitable management by slave agents must have become more and more impracticable. At last a tenant was introduced who, receiving from the landowner his land and stock, became responsible to him for a certain proportion, usually half, of the produce: and the proprietors gave up finally all interference with the task of cultivation. These new tenants were called *mortitæ*, and they are called so still in Greece.

The precise date at which they began to supersede the cultivation by proprietors is not known. It is supposed by some that this happened after their connection with Rome, and that *μορτιτῆς*, which is not a word of ancient or classical Greek, was a translation of the Latin phrase *colonus partarius*. But we can see so distinctly the same internal causes which led to the creation of the Roman tenantry

acting in Greece, that it is probable the *mortitæ* appeared there as soon, if not sooner, than the *coloni partiarii* among the Romans, and that the word *μορτιτῆς* was suggested by *μορτή*, which we have seen was the name of the produce rent paid by the ancient Thetes of Attica. However this might be, by such a tenantry the surface of Greece was gradually occupied; they survived the Mahometan conquest, and the lands of the Turkish Agas were very generally cultivated, before the present disturbances, by Grecian *mortitæ* or *metayers*.¹

SECTION III.

On Metayers among the Romans.

THE causes which introduced *metayers* into Italy were precisely similar to those which ultimately established them in Greece. The Romans began by sharing with their slaves the toils of cultivation. As the size of estates enlarged, their owners became the superintendants of the labor they before assisted. In this stage the art of agriculture was deeply studied in Rome, as it had been in a similar stage in Greece, by a class of men well qualified to carry it far

¹ See *Historical Outline of the Greek Revolution* published by Murray, p. 9. "The nominal conditions upon which the christian peasant of European Turkey labours for the Turkish proprietor, are not oppressive: they were among the many established usages of the country adopted by the Ottomans, and the practice is similar to that which is still very common in all the poorer countries of Europe. After the deduction of about a seventh for the imperial land-tax, the landlord receives half the remainder, or a larger share, according to the proportion of seed, stock, and instruments of husbandry which he has supplied."

towards perfection. The works of fifty Greek writers on agriculture were known to the Romans,¹ and those of several Carthaginians. Of these last, one, Mago, was marked by the honorable distinction of having his works translated into Latin in obedience to a formal decree of the Senate. Roman works on agriculture were less numerous than the Greek, but they were the productions of eminent men, beginning with Cato the censor (*qui eam latinè loqui primus instituit, Col.*) and including Varro and Virgil. The great poet was far from being the last among the cultivators of his day, and has even, in a few remarkable lines, recommended that alternate husbandry, and substitution of pulse and green crops for fallows, which is the main basis of the most important improvements of our own times.

Alternis idem tonsas cessare novales,
 Et segnem patiere situ durescere campum;
Aut ibi flava seres, mutato sidere, farra,
 Unde prius lætum siliquâ quassante legumen :
Aut tenuis fetus vicæ, tristisque lupini
 Sustuleris fragiles calamos silvamque sonantem.

GEOR. Lib. I. l. 71.

As the empire became larger, the size of estates increased; and when they were scattered over provinces which reached from Britain and Spain, to Asia Minor and Syria, the superintendance of the husbandry carried on upon them became burthensome and inefficient,² and even the task of training properly the villici or managers was abandoned, and the

¹ Columella, Book I. Chap. i.

² Col. Book I. Chap. i. *Nam qui longinqua, ne dicam transmarina rura mercantur, velut hæredibus patrimonio suo, et quod gravius est, vivi, cedunt servis.*

lands given up in some measure to the discretion of an inferior class¹ of slaves. The immediate consequence was such a deficiency in the produce, that some strange and unknown cause was supposed to be enfeebling the fecundity of the earth itself. Among even the more eminent Romans, while some talked of a long continued unwholesomeness in the seasons, others were inclined to a superstitious belief, that the world was waxing old, and its powers decaying: that the exuberant crops reaped by their forefathers had been the produce of its youthful strength; and that the sterility which then afflicted it was a symptom of its decrepitude.² Columella saw more distinctly the real cause of the falling off; he describes in a passage which has been often quoted, the malpractices of the slaves on those distant farms, which it was not easy for the proprietor often to visit; and though himself an indignant advocate for the more general practice of agriculture, as the most liberal and useful of arts, he concludes by recommending that all such estates should be let. “Ita fit ut et actor et familia peccent, et ager sæpius infametur: quare talis generis prædium, si, ut, dixi, domini præsentia cariturum est, censeo *locandum*.”³

A race of tenants then gradually acquired possession of the surface of Italy and the provinces. They were of various classes, but the *coloni partiarum* or *medietarii*, metayers, seem always to have been favorites, and the terms on which they cultivated to have appeared the most just and

¹ Col. Book I. Chap. i. Rem rusticam pessimo cuique servorum, velut carnifici, noxæ dedimus, quam majorum nostrorum optimus quisque optimè tractaverit.

² Col. Book I. Chap. i.

³ Col. Book I. Chap. vii.

expedient. Pliny, having tried, it seems, some other form of contract with his tenantry, and finding it answer ill, announces in one of his letters his determination to adopt the metayer system as the best remedy. "The only remedy," he says, "I can think of is, not to reserve my rent in money but in kind (*partibus*), and to place some of my servants to overlook the tillage, and to take care of my share of the produce, as indeed there is no sort of revenue more just than that, which is regulated by the soil, the climate, and the seasons."¹

The system thus praised, ultimately prevailed throughout the provinces of the empire; and in the western part of Europe, was never wholly extirpated by the convulsions which accompanied its downfall. In many instances indeed the first violence of the barbarians put to flight all regular industry, and into the wilderness which they created they were obliged to introduce labor rents and a race of serfs. The feudal system too, and the numerous body of *arrière vassals* it gave birth to, changed the occupation of much of the country. But still, thick as the darkness was, which covered for a time the remains of Roman civilization, its effects were never wholly lost. The language, the customs, the laws of the provincials still survived, and struggling at last into influence they communicated much of their character to that mixed race which has arisen in western Europe: in different degrees in different countries, but enough in all the principal kingdoms to distinguish their

¹ Plin. *Epist.* Book IX. 37. It appears from another letter that the most expensive stock supplied to the tenantry by the proprietors consisted of the slaves.

inhabitants broadly from the more primitive race to the eastward of the Rhine.

The class of metayers was probably never any where wholly destroyed, and as time softened the character of the conquerors, and introduced some degree of confidence and security into their relations with the subject cultivators, industry began to return to its old employments. It was always an object gained by the landlord, if he could substitute a produce rent, and a tenant whom he could trust with the whole task of cultivation, for a rude serf like the German or Slavonic boor, whose labor he could rely on, only while he himself enforced and superintended it. Metayers therefore spread themselves: the domain lands of the proprietors fell generally into their hands, and they re-acquired that general, though not complete, possession of the agriculture of western Europe, which we see them in a great measure still retaining.

SECTION IV.

On Metayer Rents in France.

THE province of Gaul was violently affected in all its social relations, by the various irruptions and final predominance of the barbarians. The gradual establishment of feudal tenures, and the introduction of serfs and labor rents, were two of the most important effects of the change of masters. The number and species of feudal tenures, were multiplied to a strange extent in France by the

practice of subinfeudation; which had been checked in England, but prevailed widely on the continent. The seignorial rights, and the rents and services to which they gave rise, were ranged by the French lawyers under 300 heads, the subdivisions of which they state to be infinite.¹

Some of these multiplied rights no doubt were engrafted on the more simple relation of the serfs to their landlords; for as the feudal system became familiar to the people, the notions and phraseology to which it gave birth, extended themselves to a multitude of relations and objects, quite foreign to the original aim of the system itself. Thus on the continent annuities in money or corn were granted as feuds, and occasionally even the use of sums of money,² and in England the copyholder, whom we can distinctly trace to the villein or slave, was admitted to swear fealty and do homage to his lord much in the manner of the military tenants; a practice which still continues. Thus also, those admitted to degrees at our Universities do feudal homage to the Vice-Chancellor. By a similar abuse of feudal forms, some of the serfs in France no doubt ranked at last amongst the manorial tenantry of the Seigneur, and their relation was considered to be a feudal one.

But besides the serfs thus gradually assimilated to vassals, there were other serfs whose state of slavery was as distinct and undisguised as that of the Russian cultivators is now: they existed for some time in considerable numbers, and continued to exist in several provinces up to the era of the

¹ *Dict. de Finance*, Vol. II. p. 115.

² Hargreave and Butler's Notes on Coke upon Littleton. Sect. 300. Note on Tenants in common.

revolution. We will say something of these before we proceed to the metayers. They were found on the estates of the crown, of lay individuals, and of ecclesiastics, under the name of mainmortables, which was used indifferently with that of serf, and appears to have been considered synonymous with it. They were attached to the soil, and if they escaped from it, were restored by the interference of the tribunals to their owners, to whom their persons and those of their posterity belonged. They were incapable of transmitting property: if they acquired any, their owners might seize it at their death: the exercise of this right was in full vigor, and some startling instances led Louis XVI. to make a feeble attempt at a partial emancipation. Proprietors, exercising their *droit de suite*, as it was called, had forced the reluctant tribunals of the king to deliver into their hands the property of deceased citizens who had been long settled as respectable inhabitants in different towns of France, some even in Paris itself; but who were proved to have been originally serfs on the estates of the claimants. The contrast between the condition of these poor people and that of the rest of the population, became then too strong to be endured; but though the naturally kind feelings of Louis appear to have been roused upon the occasion, he ventured no farther, than to give liberty to the serfs or mainmortables on his own domains, and to abolish indirectly the *droit de suite*, by forbidding his tribunals to seize the person or property of serfs, who had once become domiciled in free districts. In the edict published by the unfortunate monarch on this subject, he declares that this state of slavery exists in several of his provinces, and includes a great

number of his subjects, and lamenting that he is not rich enough to ransom them all, he states that his respect for the rights of property will not allow him to interfere between them and their owners, but he expresses a hope that his example and the love of humanity so peculiar to the French people, would lead under his reign to the entire emancipation of all his subjects.¹

To return however to our immediate object, the metayer tenantry. In spite of the cultivation by vassals and serfs, and that at one time doubtless to a very considerable extent, the metayers had in their possession before the revolution four-sevenths of the surface of France.² Another one-sixth or one-seventh was in the possession of capitalists finding their own stock and paying money-rents.³ The remainder was held by the proprietors, or by serf or feudal tenantry.

The terms on which the French metayers held their farms, differed much from age to age: these variations do not immediately strike the eye of an observer, because the nominal rent, and nominal share of the tenant, have changed but little, and the metayer still very generally takes that portion of the produce, viz. the half, from which his original name of *medietarius* was derived. But while the metayer tenant pays nominally the same rent, his own share of the produce may be diminished in two modes: by his being subjected to a greater quantity of the public burthens: or

¹ For this edict, see *Dict. des Finances*, at the word *Mainmorte*.

² This is the calculation of Duprés St. Maur, sanctioned by Turgot. Adam Smith states five-sixths. Turgot, Vol. VI. p. 209. Smith, Vol. II. p. 92. Edition of 1812. Arthur Young thinks seven-eighths, Vol. I. p. 403.

³ Arthur Young, Vol. I. p. 402.

by the size of his metairie being reduced. By this second mode of reduction, I am not aware that the French metayer suffered much: fifty acres was not an unusual size for a metairie; in poor districts they comprised a much larger quantity of land.¹

By the first mode of reducing his share of the produce, that is, by the increase of the public burthens which he had to bear, the metayer suffered to an extent, fatal both to his own comforts and to the prosperity of agriculture; a circumstance, which had a great share in converting the peasantry into those reckless instruments of mischief, which they proved in many instances to be, during the revolution.

The Taille was an imposition which the French antiquaries think they can trace to the age of the Emperor Augustus;² we know that it was levied by the barons on their vassals during the ages of feudal anarchy; by the sovereign as sovereign, that is beyond the limits of his own domains, as early as 1325: that it became under Charles VII., in 1444, an annual tax, and continued afterwards to be the main branch of the revenue of the kingdom.³ It was meant to be levied according to the means of the contributor, and was extremely defective both in its principle and mode of imposition; but even these defects would not, perhaps, have made it intolerable, had it not been for its gradually increasing amount,

¹ Arthur Young however, it is right to mention, came to a different conclusion. "The division of farms," he says, "and the population is so great that the misery flowing from it is in some places extreme." Vol. I. p. 404. He gives some instances: but it may be questioned whether these were not small proprietors or feudal tenants.

² *Dict. des Finances. Discours Preliminaires*, Part VII. and Tom. III. p. 637.

³ *Dict. des Finances*, Tom. III. p. 638-639.

which at last almost absorbed the daily bread of the peasant. It would have been well for these poor people had that proved true in their case, which has lately been promulgated with great confidence as an universal truth, namely, that when once certain habits of life are established among a population, a diminution of their means of subsistence is followed invariably by a slackened rate of the increase of their numbers, and a consequent rise of wages, which restores them to their former position. Theirs was a different lot. As the command of the French peasants over the means of existence became less, their habits altered, but their numbers did not decrease; some one was always found ready to occupy a metairie, "parceque, (says M. Destutt de Tracy, in describing their misery) il y a toujours des malheureux qui ne savent que devenir."

The mode in which the taille gradually produced the degradation of the peasantry, is feelingly, and, no doubt, accurately described by Turgot,¹ in his correspondence with the ministers, while intendant of the Limosin.

After remarking, that while the cultivator really received half his produce, he had the means of becoming gradually a small capitalist, and ultimately of providing the stock and paying a money-rent, he observes, that if the tax had from its origin been laid on the landholders, this natural progress of events would not have been deranged, and would have procured to the owner the enjoyment of his revenue, without any care on his part: but that the taille was at first a

¹ By Vauban in the *Dixme Royal*, and in the *Detail de la France*, with more detail and animation; but these descriptions are less exclusively applicable to the *Metayer* peasantry than Turgot's.

species of poll-tax, and very light, from which the nobles were exempt: that as the tax increased, it became necessary to levy it in proportion to the means of the cultivators, which were calculated according to the extent of their occupations, a method by which the privilege of the nobles was eluded: that while the imposition was moderate, the metayer paid it by retrenching his comforts; but that the tax increasing constantly, the portion of the cultivator was so much diminished, that at last he was reduced to the most profound misery. These reflexions, he says, explain how it came to be possible, that the cultivators should be plunged into the excess of misery in which they then existed in the Limosin and Angoumois, and perhaps in other provinces of "petite culture." That misery he declares is such, that on the greater part of the domains, the cultivators had not, after paying their taxes, more than from 25 to 30 livres to spend annually for each person, (not in money, but reckoning the value of all that they consumed in kind); often they had less, and when they could subsist no longer, the proprietor was obliged to contribute to their maintenance. Some proprietors, he adds, had been at last forced to perceive, that their pretended exemption had been much more mischievous than useful to them; and that an imposition which had entirely ruined their cultivators, had fallen back wholly on themselves. But the illusions of self-interest ill understood, supported by vanity, had long maintained their ground, and were only dissipated when things were carried to such an excess, that the proprietors would have found no one to cultivate their lands, if they had not consented to contribute with the metayers to the payment of a part of

the imposition. That custom had begun to introduce itself into some parts of the Limosin, but had not extended itself much : the proprietor yielded to such an arrangement only, when he could find no metayer without it ; and even in that case the metayer was always reduced to what was strictly necessary¹ to prevent his dying from hunger.

The tax evidently did not begin to move from the shoulders of the laborer to those of the employer, till the first had been gradually reduced to the minimum of subsistence, and then only moved to such an extent as was necessary to preserve to him that minimum.

The revolution converted many of these metayers into small proprietors, but they still abound in France ; and their condition seems to have altered for the better, less than might have been expected from the changes which have taken place in the system of taxation. Mr. Destutt de Tracy, a member of the Institute, and peer of France under the Emperor, who states himself to have been for 40 years proprietor of a domain farmed by metayers, gives a wretched account of their condition, and states that he is acquainted with metairies, which have never, in the memory of man, supplied the food of the metayers from their own half of the produce. As his description is the most authentic account of this tenancy as it exists at present in France, I subjoin it.²

“ Ils forment ce que l'on appelle communément des

¹ Ainsi, même dans ce cas-là, le metayer est toujours réduit à ce qu'il faut précisément pour ne pas mourir de faim. Turgot, Tom. IV. p. 277. Memoire presented to the Council, *Œuvres de Turgot*, Tom. IV. p. 271, 272, 274, 275.

² Destutt de Tracy, *Traité d'Economie Politique*, p. 116.

domaines ou des metairies, et ils y attachent frequemment autant et plus de terres qu'il n'y en a dans les grandes fermes, surtout si l'on ne dédaigne pas de mettre en ligne de compte les terres vagues, qui ordinairement ne sont pas rares dans ces pays, et qui ne sont pas tout-à-fait sans utilité, puisqu' on s'en sert pour le pacage, ou même pour y faire de temps en temps quelques emblavures afin de laisser reposer les champs plus habituellement cultivés.

* * * * *

“ Le propriétaire est donc réduit à les garnir lui-même de bestiaux, d'utensiles, et de tout ce qui est nécessaire à l'exploitation, et à y établir une famille de paysans, qui n'ont que leur bras, et avec lesquels il convient ordinairement, au lieu de leur donner des gages, de leur abandonner la moitié du produit, pour le salaire de leurs peines. C'est de là qu'ils sont appelés metayers, travailleurs à moitié. Si la terre est trop mauvaise, cette moitié des produits est manifestement insuffisante pour faire vivre, même miserablement, le nombre d'hommes nécessaire pour la travailler ; ils s'endettent bientôt, et on est obligé de les renvoyer. Cependant on en trouve toujours pour les remplacer, parce qu'il y a toujours des malheureux qui ne savent que devenir. Ceux-là même vont ailleurs, où ils ont souvent le même sort. Je connais de ces métairies, qui de mémoire d'homme n'ont jamais nourri leurs laboureurs au moyen de leur moitié de fruits.”

It appears by an article in the *Foreign Quarterly*, published while these pages were in the press, that in spite of the multiplication of small proprietors since the revolution,

metayers are supposed still to cultivate one-half of France. Their actual condition is little improved, it appears, by the change which has taken place in the system of taxation, and their sufferings are aggravated by the spread of a class of middle-men (always existing to some extent) who without changing the terms on which the actual cultivator holds the soil, pays a money-rent to the proprietor, and grinds and oppresses the tenant to make his bargain profitable. The condition of the French metayers has been treated of with some fulness. This will enable us to review more rapidly the same class of tenantry existing in other countries, and differing from the French only in local peculiarities.

SECTION V.

On Metayer Rents in Italy.

THE decline of the power of the Roman and Byzantine Emperors in Italy was gradual and slow; the shade of her great name seemed to suspend a shield for a time before the precincts of the ancient capital. Both the language and the history of the Italians indicate, that the alterations in the habits and in the mechanism of society, produced in the original seats of the empire by the final change of masters and intermixture of races, were much less violent and general than those which took place in the distant provinces. From many districts of Italy it is probable that the *coloni medietarii* never disappeared, and that the peasants who now cultivate the soil have succeeded to them in an unbroken line. The large grazing farms of Lombardy, the tracts of the Cam-

pagna, the maremnæ which occur on the coast, are occupied by capitalists ; for wherever large herds of cattle are to be maintained, neither the peasant nor the landlords are able to supply them. But in spite of these, and perhaps other exceptions, Italy, from the Alps to Calabria, is still covered with metayers.¹ The metairies of Italy are less than those of France. Their extent will every where be governed by what the landlord supposes to be his interest : if it is an object with him that his estates should not have fewer hands than are equal to its complete cultivation, so it is an object with him, that it should not have more. The number of acres which a metayer and his family can manage, must depend much on the course of crops and mode of tillage. In France the system of cropping, once universal in Northern Europe, still prevails extensively ; that is, corn crops while the land can bear them, and then fallows, or leys of some years standing, with some waste ground for pasture. On such a plan a family require and can manage a considerable tract. In Italy the rotation of crops practised by the Romans is still carried on ; the legumina recommended by Virgil are extensively cultivated, and the cattle are often fed from the produce of the arable ground. On such a system, a much smaller quantity of land will employ and maintain a family. Metayers are always found ready to accept a subdivision. For reasons we shall have to explain presently, those motives to a voluntary forbearance from early marriages which affect the higher classes in all countries, and all classes in some countries have rarely much influence on a peasantry receiving the wages of their labor in the shape

¹ That is, where the lands are let : small proprietors are not uncommon.

of raw produce raised by themselves. Such are metayers : their multiplication, as we have seen in the case of France, usually goes on till they are stopped by the smallness of their maintenance, or, as more often happens, by the policy of the proprietors refusing to subdivide lands, already supplied with labor beyond the point they deem most advantageous to themselves.¹ The metayer farms in different parts of Italy are of different sizes ; those of Tuscany include about ten acres. But in Naples they do not exceed five, and the tenants there pay two-thirds of the produce as rents. Their climate and soil enable them to do this : the first permits them to dispense with many things which are strictly necessaries elsewhere, while the earth with bounteous fertility produces eight crops in five years, in fields shaded at the same time by a profitable forest of fruit trees and vines. Still, making ample allowance for these advantages, one-third of the produce of five acres must yield a miserable subsistence to a peasant, subject all the while to the exactions of a needy government, and of an aristocracy armed with all sorts of mischievous powers and privileges, and extremely inclined to abuse them. The Tuscan metayers are considered to be best off, and near Florence have a considerable appearance of ease, which is attributed partly to the manufacture of straw hats, an employment very general among them. But at a distance from the town, their circumstances are wretched ; their food coarse, bad, and

¹ There are, however, parts of Tuscany where it is the custom for the eldest son only to marry, but no restraints of this kind have prevented the Italian metayers, generally, from increasing till their numbers became fully equal to the demands of the proprietors, and in many cases really burthen-some to agriculture.

scanty ; and their penury such as keeps them in a state of perpetual debt to the landlords for food or assistance of different kinds.¹

Mr. Coxe, who some years since visited the Valteline, and Mr. Gilly, who more lately was among the Vaudois, give a miserable account of the poverty of the metayers. In the provinces of Spain in which they most abound, they are said to be extremely poor. The cultivation of the Canary Islands is in their hands.

In Afghaunisthaun, a race of tenants is found called Buzgurs,² who seem to differ in no respect from the metayers of Western Europe. This is a singular instance in Asia, where this tenancy, although sometimes partially engrafted on Ryot rents, is perhaps in no other spot to be found existing in its pure form. But Afghaunisthaun is a strange land, in which, from the peculiarities of its geographical and political condition, fragments of almost all the civil institutions known in the rest of the world continue to co-exist in a state of confusion approaching to anarchy.

SECTION VI.

Summary of Metayer Rents.

UPON comparing the metayer with the serf, it is obvious that he has many advantages : his being entrusted with the whole care of the cultivation, is a circumstance which not only indicates his superior estimation in society, but brings

¹ Arthur Young's *Travels in France and Italy*. See Appendix V.

² Elphinstone's *Caubul*, Vol. I. p. 471.

with it substantial improvements in his condition : we have noticed that the forced labor of the serf supposes some power of summary coercion in the master, without which, cultivation could hardly go on. But the metayer is freed from the galling superintendance of the proprietor, and the terms of their connection do not make such a summary power necessary. That, of the metayers, many were once slaves there can be little doubt ; they are, and have been for some ages generally, I believe universally, freemen ; and the sovereigns of the different countries in which they exist, have been able in most cases so far to extend the power of the royal tribunals, as effectually to secure their persons and effects.

Another advantage of the metayer, which in practice, it is to be feared, is less than might be hoped, is this ; that, as the landlord's rent depends upon the amount of the produce, he has an obvious interest in preventing the energy or the means of the tenant from being lessened by oppression. A half starved metayer must needs be a bad agent in a cultivation, on the efficiency of which the proprietor's revenue depends, and the losses of which he must share. But what Turgot calls " the illusions of self-interest ill understood," or in plain terms, perhaps, the covetousness and ignorance of the proprietors, have prevented the tenant from reaping all the benefit this consideration might have been expected to secure to him. While the *taille* in France, for instance, could be extracted from the tenant, we have seen that he was made to bear it, though it kept him on the verge of starvation ; and in other countries, either the too great subdivision of the soil, the increase of the landlord's pro-

portion of the produce, or the saddling the tenant with burthensome conditions as to the taxes, have left him in a state of great and helpless depression. Still the common interest he has with the landlord in the success of his industry is never wholly without its effects. When reduced to extremities, the tenant has a patron to apply to, who cannot for his own sake let him perish, or even suffer beyond a certain point ; and in calamitous seasons, advances of food and other necessaries by the landlords are almost universal.

But if the relation between the metayer and the proprietor has some advantages when compared with that between the serf tenant paying labor rents and his lord : it has also some very serious inconveniences peculiar to itself. The divided interest which exists in the produce of cultivation, mars almost every attempt at improvement. The tenant is unwilling to listen to the suggestions of the landlord, the landlord reluctant to entrust additional means in the hands of a prejudiced, and usually very ignorant tenant. The tenant's dread of innovation is natural ; he merely exists upon a system of cultivation familiar to him : the failure of an experiment might leave him to starve. This dread, however, makes it almost impossible to introduce improvements into the practice of the metayers. Arthur Young witnessed many attempts made by amateur agriculturists on their own estates ; and concludes his account of them by declaring, that with metayer tenants, the common system of the country must be adhered to, be it good or bad. While the tenant is frightened at a change of system, the landlord hangs back, with a hardly less mischievous reluctance, from the advances necessary to carry on efficiently any system whatever.

When stock is to be advanced by one party, and used by another for their common benefit, some waste and carelessness in the receiving party, great jealousy and reluctance in the contributing party, follow naturally. The proprietors, (says Turgot,) who only advance stock because they cannot avoid it, and who are themselves not rich, confine their advances to what is most strictly necessary; accordingly, there is no comparison to be made between the stock advanced by a proprietor for the cultivation of his metairies, and that used by farmers in districts cultivated by capitalists.¹ We know, however, from other authority, that the capital to which that of the metayers was thus decidedly inferior, was itself extremely scanty.²

Where the proprietors are needy, careless, or absent, the case becomes of course much worse. "In bad years, (Turgot remarks,) the proprietor is obliged to feed the metayers, for fear of losing all he has advanced. This mode of management requires on the part of the proprietor continual attention, and an habitual residence: accordingly, if it is seen that the affairs of a proprietor are in the smallest degree deranged, or if he is obliged from any cause to absent himself, his metairies cease to produce him any thing. The estates of widows and minors usually relapse into waste."³ When we remember the number of proprietors who were necessarily absent from military duties or other causes, and add them to the widows, and minors, and persons whose affairs were deranged, the list of estates either very badly cultivated, or not cultivated at all, will appear formidable indeed,

¹ *Œuvres de Turgot*, Tom. IV. p. 267.

² Arthur Young.

³ Turgot, Tom. VI. p. 203, 204.

and we are prepared to hear without surprise “of the exhausted state of the province” and the “abandonment of many metairie estates for want of cattle, and the inability of the proprietors to provide stock.”¹

The causes which, under the eyes of Turgot, produced these effects in the Limosin, must act more or less in all the metayer countries of Europe, and must produce much of the poverty to be observed in them.

Metayer rents may increase, it is clear, from two causes, from an increase of the whole produce effected by the greater skill or industry of the tenant, or from an increase of the landlord's proportion of the produce, the amount of the produce itself remaining the same. When rent increases, and the produce remains stationary, the country at large gains nothing by the increase; its means of paying taxes, of supporting fleets and armies, are just what they were before: there has been a transfer of wealth, but no increase of it; but when metayer rents increase, because the produce has become larger, then the country itself is richer to that extent; its power of paying taxes, of supporting fleets and armies has been increased; there has been an increase of wealth, not a mere transfer from one hand to another of what before existed. Such an increase of rents indicates also another increase of wealth as extensive, and more beneficial, which is found in the augmentation of the revenues of the metayers themselves, whose half the produce is augmented to precisely the same extent as the landlord's.

The existence of rents upon the metayer system, is in no degree dependent upon the existence of different qualities

¹ Turgot, Tom. IV. p. 302.

of soil or of different returns to the stock and labor employed. The landlords of any country who, with small quantities of stock, have quantities of land, sufficient to enable a body of peasant laborers to maintain themselves, would continue to derive a revenue as landowners from sharing in the produce of the industry of those laborers, though all the lands in the country were perfectly equal in quality.

In metayer countries the wages of the main body of the people depend upon the rent they pay. The quantity of produce being determined by the fertility of the soil, the extent of the metairie, and the skill, industry, and efficiency of the metayer, then the division of that produce, on which division his wages depend, is determined by his contract with the landlord. In like manner the amount of rent in such countries is determined by the amount of wages. The whole amount of produce being decided as before, the landlord's share, or the rent, depends upon the contract he makes with the laborer, that is, upon the amount deducted as wages.

Of the three large classes of peasant rents, metayer rents prevail the least extensively. They spread over a portion of the cultivated surface of the earth considerably less than those in which labor rents or ryot rents predominate. But they occupy countries which have long been the seats of nations eminent in the foremost ranks of civilized people, and which are likely for many ages to be among the most distinguished depositaries of the knowledge and the arts of mankind.

These too are agricultural nations: that is, by far the

greater part of their productive population is employed in agriculture. The extent of their wealth must be mainly dependent, therefore, on the success of their agriculture, and the success of their agriculture will be determined in a great degree by the nature of the conditions under which the land is occupied, and by the character of their tenantry.

Not only the wealth of a nation, but the composition of society, the extent and the respective influence of the different classes of which it consists, are powerfully affected by the efficiency of agriculture. The extent of the classes maintained in non-agricultural employments throughout the world, must be determined by the quantity of food which the cultivators produce beyond what is necessary for their own maintenance. The agriculturists of England for instance produce food sufficient to maintain themselves, and double their own numbers. Now the existence of this large non-agricultural population, the wealth and influence of its employers, and of those persons who traffic in the produce of its industry, affect in a very striking manner the actual elements of political power among the English, their practical constitution, and their national character and habits. To the absence of such a body of non-agriculturists and of the wealth and influence which accompany their existence, we may trace many of the political phenomena to be observed among our continental neighbours. If the agriculture of those neighbours should ever become so efficient, as to enable them to maintain a non-agricultural population, at all proportionable to our own, they may perhaps approximate to a social and political organization similar to that seen here. At all events they will have the means of doing so. I am giving,

it will be remembered, no opinion on the desirableness of such an approximation, but there can be no question as to the striking effects the change must produce on their habits and institutions, and on the amount of their national strength and external influence.

That no very marked change in the efficiency of agriculture, and in the relative numbers of agricultural and non-agricultural population will take place in any nation, while the metayer system remains in full force, is what we are entitled to assume, from the view we have already taken of the inherent faults and of the past effects of that system. The actual prevalence of metayer rents therefore, their modifications, their gradual progress in some cases towards different forms of holding, in others, the sturdy resistance the system offers to the assaults of time and even to the wishes and the efforts of those, who would willingly rid themselves of it; these are all circumstances to be studied carefully by those who would discern the causes of the actual state of some of the most interesting countries in Europe, or speculate upon the progress of future changes either in their political and social institutions, or in their relative strength and power as nations.

To these claims to an attentive examination we add another of not less importance, which has been already incidentally mentioned, namely, the strict connection which metayer rents have (in common with the other systems of peasant rents) with the wages of by far the larger portion of the industrious population of countries in which they prevail. This connection brings their effects into close contact with the comforts, the character and condition of

an important division of the great family of mankind, and is alone sufficient to secure to them, in all their details and variations, the anxious attention of the statesman and practical philanthropist.

CHAPTER IV.

SECTION I.

On Ryot Rents.

RYOT Rents are, with few exceptions, peculiar to Asia.¹ They are produce rents paid by a laborer, raising his own wages from the soil, to the sovereign as its proprietor. They are usually accompanied by a precarious right on the part of the tenant, to remain the occupant of his allotment of land, while he pays the rent demanded from him. These rents originate in the rights of the sovereign, as sole proprietor of the soil of his dominions. Such rights, we have seen, have been acknowledged at some period by most nations. In Europe they have disappeared or become nominal; but the Asiatic sovereigns continue to be, as they have been for a long series of ages, the direct landlords of the peasant tenants, who maintain themselves on the soil of their dominions. Indications present themselves occasionally, which would lead us to conclude that in portions of that quarter of the globe, a state of things once existed, under which the rights to the land must have been in a different state from that in which we see them: but it was in an antiquity so remote, as to baffle all attempts at investigation. Within the period of historical memory,

¹ They have been introduced by Asiatics into Turkey in Europe. They exist in Egypt; and may perhaps hereafter be traced in Africa.

all the great empires of Asia have been overrun by foreigners ; and on their rights as conquerors the claim of the present sovereigns to the soil rests. China, India, Persia, and Asiatic Turkey, all placed at the outward edge of the great basin of central Asia, have been subdued in their turn by irruptions of its tribes, some of them more than once. China seems even at this moment hardly escaping from the danger of another subjugation. Wherever these Scythian invaders have settled, they have established a despotic form of government, to which they have readily submitted themselves, while they were obliging the inhabitants of the conquered countries to submit to it.

The uniformity of the political system adopted by them, is a striking peculiarity ; and becomes more striking, when seen in contrast with the free constitutions established by the Germanic hordes, which, in the western division of the old world, took possession of countries more wealthy and civilized than their own. It has been supposed, that the difference may be traced to the previous habits of the Tartars as pastoral tribes. But the Germans too consisted of pastoral tribes, and the difference of their institutions must be sought in some other cause than this. It may be found perhaps, in a great measure, in the different character of their original seats. Amidst the fastnesses and morasses of his native woods, the German, when not actually at war, was in tolerable security ; his habits of military obedience, we know, relaxed, and he enjoyed that rude and indolent freedom, which the warlike barbarian never relinquished but from necessity. Some of the tribes of the Affghans exhibit remarkable instances of the different

degrees of submission to authority, produced among pastoral nations under the prevalence of the different feelings of security, or of peril. They are only slowly and partially abandoning migratory habits: during part of the year they are stationary, in a country in which they feel secure; in another part of the year they move to distant pastures. While safe and tranquil, their institutions are as free as those of the ancient Germans, and in many points of detail resemble them with remarkable closeness. When they begin to move, and the approach of danger and the necessity of united exertion begin to be felt, they pass at once to a despotic form of government: a Khan, whose authority, while they are stationary and safe, is disclaimed, is at once invested with supreme power; and so helpless do they feel without him, that when from private views he has wished to remain at court, or employ himself elsewhere, he has been recalled by their clamor, to receive their submission, and to put himself at their head.¹ But

¹ Elphinstone's *Caubul*, Vol. II. p. 215. When the people are collected into camps, they are governed by their own Mooshirs, without any reference to the Khaun, and when they are scattered over the country, they subsist without any government at all: but when a march is contemplated, they immediately submit to the Khaun, and where they have to pass an enemy's country, he is appointed head of the Chelwashtees, assumes an absolute authority, and becomes an object of respect and anxiety to all the tribe. A proof of the importance of the Khaun during a march, is shewn by the conduct of the Nausser at one time, when Junus Khan, their present chief, refused to accompany them in one of their migrations. He was anxious to remain in Damaun with 200 or 300 of his relations, to assist Surwur Khaun against the Vizeerees; but his resolution occasioned great distress in the tribe, who declared it was impossible to march without their Khaun. So earnest were their representations, that Junus was at last compelled to abandon his former design, and to accompany them on their march to Khorassaun.

the Tartars of central Asia inhabit vast plains, traversed in every direction by mounted enemies. The task of guarding their property and lives, is a constant campaign; and their habits of military submission have no intervals of relaxation: they are born, and they die in them. It is possible that when they became masters of the fair empires of exterior Asia, they found already established, in some instances, the right of the sovereign to the soil; not as a remote or nominal superior, but as the actual and direct proprietor. Such a right may have been a relic of former conquests, or in some remoter instances, the growth of circumstances, similar to those which induced the natives of Africa, Peru, or New Zealand to acknowledge, on applying themselves to agriculture, the right of their sovereigns to dispose of the territory which the nation occupied. However this may be, it is certain that the Tartars have every where either adopted or established a political system, which unites so readily with their national habits of submission in the people, and absolute power in the chiefs: and their conquests have either introduced or re-established it, from the Black Sea to the Pacific, from Peking to the Nerbudda. Throughout agricultural Asia, (with the exception of Russia,) the same system prevails. There are neither capital nor capitalists able to produce, from stores already accumulated, the maintenance of the bulk of the people. The peasant must have land to till or must starve. The body of the nation is therefore in every case dependent upon the great sovereign proprietor for the means of obtaining food. Of the remainder of the people, the most important part is, if possible, more dependent: they live

in the character of soldiers or civilians, on a portion of the revenue collected from the peasants, assigned to them by the bounty of their chief: intermediate and independent classes there are none; and great and little are literally what they describe themselves to be, the slaves of that master on whose pleasure the means of their subsistence wholly depend. The experience of many long centuries of monotonous oppression has sufficiently proved the tendency of such a state of things, once established, to perpetuate the despotism it creates.

Although a similar system prevails in all the great empires of Asia, it presents itself with distinct modifications in each; arising from differences in the climate, soil, and even government; for despotism itself has its varieties. Of these modifications a very slight sketch must suffice here.

SECTION II.

On Ryot Rents in India.

It seems probable, that the ancient Egyptians, and the Indian worshippers of the Brahminical idols had a common origin, but whence they came, or in what state of things their peculiar institutions originated, can only be dimly conjectured. In India, ryot rents have subsisted since the invasion of the people whom the Brahmins led, or accompanied; perhaps longer. The sacred books of the Hindoos found the claims of the sovereigns to the land on the rights of conquest.

“By conquest, the earth became the property of the holy Parasa Rama ; by gift the property of the Sage Casyapa ; and was committed by him to Cshatriyas (the military cast) for the sake of protection, because of their protective property ; successively held by powerful conquerors, and not by subjects cultivating the soil. But annual property is acquired by subjects, on payment of annual revenue, and the king cannot lawfully give, sell, or dispose of the land to another for that year. But if the agreement be in this form, ‘You shall enjoy it for years,’ for so many years as the property is granted, during so many years the king should never give, sell, or dispose of it to another, yet if the subject pay not the revenue, the grant being conditional, is annulled by the breach of the condition. But if no special agreement be made, and another person desirous of obtaining the land, stipulate a greater revenue, it may be granted to him on his application.”¹

With the spirit and letter of this often quoted law, the practice of the various sovereigns of India, native and foreign, has very accurately corresponded. Those subordinate rights of the people to temporary possession which have grown up in peaceful times, have ever remained precarious and imperfect : but the right of the ruler is the right of the strongest ; and when either intestine wars or foreign invasion have brought a new master to a district, his sword has restored the sovereign’s claim in all its primitive clearness.

The proportion of the produce taken by the sovereign, has on some ground or other perpetually varied ; that is,

¹ Colebroke’s *Dig. of Hindoo Law*, Vol. I. p. 460.

when he has pretended to confine himself to any definite proportion at all. The laws seem to fix it at one-sixth, but in practice, this law or rule has been utterly disregarded. Strabo mentions, that in his time, *ἔστιν ἡ χώρα Βασιλικὴ πᾶσα, μισθοῦ δ' αὐτὴν ἐπὶ τετάρταις ἐργάζονται τῶν καρπῶν*, where by straining the Greek a little either way, the rent may appear to have been one-fourth or three-fourths of the produce. The Mogul conquerors exacted their rents in proportions, which varied considerably with the quality of the land, more particularly with its command of water. But no definite rate of rent has ever prevailed long in practice.

Under the Hindoo governments, there had been a disposition to allow many subordinate claims to the possession of the soil, and to offices connected with the collection of the revenue, to become hereditary. Of the offices, the most important was that of the Zemindars. These were entrusted with the collection of the revenue in districts of different sizes, were entitled to a tenth of its amount, had sometimes lands assigned to them, and were endowed with very considerable authority. They were much in the habit of making advances of seed and stock to assist the cultivator, and of stipulating for repayment in the shape of produce. When the son had been allowed to succeed the father for some generations in such an office, the ties and interests which connected him with the people under him were so many and strong, that the displacing a Zemindar, unless for gross misconduct or for failure in payment of the sovereign's rent, was thought by himself and the ryots, to be an act of tyrannical oppression. The ryots

very generally occupied their lands in common, and were collected into villages under officers of their own, who distributed to the cultivators and tradesmen their respective shares of the produce. The village offices and various trades became hereditary. The ryot too himself, the actual cultivator, was yet less likely than the superior officers to be disturbed in the possession of his lands. Provided the sovereign's share of the produce was paid, he had no interest in disturbing the humble agents of production, and a very great interest in retaining them. From similar reasons, a claim to mortgage or sell his possessory interest, was suffered to establish itself.

But then all these subordinate interests were only respected in peaceful times, and under moderate governors; and these were rare in India. It has been hitherto the misfortune of that country, to see a rapid succession of short lived empires: the convulsions amidst which they were established, have hardly subsided, before the people have begun to be harassed by the consequences of their weakness and decay. While any really efficient general government has existed, it has been the obvious interest, and usually the aim of the chiefs to act upon some definite system; to put some limit to their own exactions; to protect the ryots, and foster cultivation by giving reasonable security to all the interests concerned in it. The Mogul emperors acted in this spirit, while exercising a power over the soil, which had no real bounds, but those which they prescribed to themselves. But as the empire grew feeble, and the subordinate chieftains, Mahometan, or Hindoo, began to exercise an uncontrolled power in their

districts, their rapacity and violence seem usually to have been wholly unchecked by policy or principle. There was at once an end to all system, moderation, or protection; ruinous rents, arbitrarily imposed, were collected in frequent military circuits, at the spear's point; and the resistance often attempted in despair, was unsparingly punished by fire and slaughter.

Scenes like these, in the ancient history of India, have been frequently renewed, and succeeded rapidly short intervals of repose. They were of course disastrous. Half the rich territory of that country has never been cultivated, though swarming with a population to whom the permission to make it fruitful in moderate security, would have been happiness; and nothing can well exceed the ordinary poverty of the ryots, and the inefficiency of their means of cultivation.

The English, when they became the representatives of the Mogul emperor in Bengal, began by pushing to an extreme their rights as proprietors of the soil; and neglected the subordinate claims of the Zemindars and ryots, in a manner which was felt to be oppressive and tyrannical, although not perhaps in strictness illegal. A great reaction has taken place in their views and feelings; perceiving the necessity of restoring confidence to the cultivators, and anxious to shake off the imputation of injustice and tyranny, they showed themselves quite willing to part with their character of owners of the soil, and to retain simply that of its sovereign. An agreement was in consequence entered into, by which the Zemindars assumed a character, which certainly never before belonged to them, that of the direct landlords

of those ryots, between whom and the supreme government they had before been only agents; agents, however, possessed of many imperfect but prescriptive rights to an hereditary interest in their office. The government, instead of exacting rents, was content to receive a fixed and permanent tax; for which the new landlords were to be responsible.

There can be no doubt of the fair and even benevolent spirit, in which this arrangement was made. It seems however to be now generally admitted, that the claims of the Zemindars were overrated, and that, if something less had been done for them, and something more for the security and independence of the ryots, the settlement, without being less just or generous, would have been much more expedient.¹

SECTION III.

On Ryot Rents in Persia.

OF all the despotic governments of the east, that of Persia is perhaps the most greedy, and the most wantonly unprincipled; yet the peculiar soil of that country has introduced some valuable modifications of the general Asiatic system of ryot rents, and forced the government, unscrupulous as it is, to treat the various interests in the land subordinate to those of the crown, with considerable forbearance.

One of the most remarkable geological features of the old world, is that great tract of sandy desert, which extends

¹ See note on Ryot Rents in Appendix VI.

across its whole breadth, and imposes a peculiar character on the tribes which roam over its surface, or inhabit its borders. It forms the shores of the Atlantic on the western coast of Africa, and constitutes the Zahara or great sandy desert, which has contributed to conceal so long the central regions of that quarter of the globe from European curiosity. It forms next the surface of Egypt with the exception of the valley of the Nile; stretches across the Arabian wastes, to Syria, Persia, and upper India; and turning from Persia northwards, threads between Mushed and Herat¹ the Elburz and Parapomisan mountains, parts of the Caucasian or Himalayan chain; runs north-eastward through Tartary, and rounding the northern extremity of China, sinks finally, it is supposed, beneath the waves of the Pacific. The greater part of the territories of Persia either consist of this desert, or border on it; and partake so much of its parched and sterile character, that the eye at a short distance can hardly trace the boundary. This soil can be made fruitful only by irrigation. But water, says Frazer, is the most scanty boon of nature in Persia; its rivers are small and few, and rivulets, by no means common, can only be applied to a very limited quantity of cultivation. In the best districts, the small proportion of cultivated land resembles an Oasis in the desert, serving by contrast to make all around it more dreary.

As the natural springs and streams are insufficient to support the cultivation by which the people must exist, the Persians establish with great labor and expense artificial sources, called cannauts. They sink on the sides of hills

¹ For the course of these sands on the confines of Persia and Tartary, see Frazer's *Khorassan*, p. 253.

long chains of wells, of different depths, and communicating by a channel, which conducts to the lowest the water collected in them : thence the stream is distributed over the fields which it is to fertilize. These works, always costly and important, are of various sizes ; the chain of wells is said to be occasionally thirty-six miles in length, and a *cannaut* is spoken of in Khorassan, into which a horseman may ride with his lance upon his shoulder ;¹ more ordinarily, the channels are small, and the chain of wells does not exceed two miles in length. Whenever, by these or other means, water is brought to the surface, scenes of oriental vegetation spring up rapidly and luxuriantly. If from war, or oppression, or accident, or time, the works of man are destroyed or neglected, the scene of fertility vanishes, and the desert resumes its domain. The plain of Yezid-Khaust in the route from Shiraz to Teheran, was once celebrated for its beauty and fertility : Mr. Frazer passed over it in 1821, and thus describes it. “The plain of Yezid-Khaust, which extends in

¹ This perhaps is a fable, but the *cannauts* must sometimes discharge very considerable bodies of water. Mr. Frazer, who first met with them at Kauzeroon, says: The *cannauts* or subterranean canals have frequently been described, and constitute almost the only species of improvement requiring outlay, still carried on in Persia: because the property thus acquired is protected, and the profit considerable, and not very remote: indeed, they are most commonly constructed by persons in authority, who dispose of the water thus brought to the surface at very high rates. Several new ones have been lately made in the Kauzeroon valley, and some notion may be formed of the value of such property, when it is understood that the small stream at Dalakee brings in a revenue of 4000 rupees a year; and that one *cannaut*, lately opened by Kulb Allee Khan, governor of Kauzeroon, affords a stream at least five or six times more considerable. Among other uses, it serves to irrigate a garden which contains some of the finest orange trees both bitter and sweet, shaddock, lime, and pomegranate trees, that can be found in the country. Frazer's *Khorassan*, p. 79.

the line of our route all the way to Komaishah, presented, towards the latter place, a truly lamentable picture of the general decline of prosperity in Persia. Ruins of large villages thickly scattered about, with the skeleton-like walls of caravanserais and gardens, all telling of better times, stood like memento moris to kingdoms and governments ; and the whole plain was dotted over with small mounds, which indicate the course of cannauts, once the source of riches and fertility, now all choked up and dry, for there is neither man nor cultivation to require their aid." The district of Nishapore was another celebrated seat of Persian cultivation. "It was added," says Mr. Frazer, (speaking of the information he received concerning this place,) "that in the different departments of Nishapore they reckon 14000 distinct villages, all inhabited, and irrigated by 12000 cannauts and 18 small rivers from the mountains. This magnificent detail is no doubt greatly exaggerated, being but a reiteration of the traditional account of this place in its days of high prosperity : no such vast population or cultivation now exists ; most of the villages are ruinous ; the cannauts, the remains of which, covering the plain, may serve almost to attest the truth of the above statement, are now choked up and dry."

Now the principal revenue of the monarchs of Persia is derived from the produce of the earth, of which they are the supreme owners. It could not escape even their eyes, blinded as they are by greediness and habits of rapine, that the cost of thus wresting cultivated spots from the desert, and maintaining them in fruitfulness, would never be incurred, unless the undertakers felt really secure that their property in them would be subsequently respected. By

the laws of Persia, therefore, he who brings water to the surface, where it never was before, is guaranteed by the sovereign in the hereditary possession of the land fertilized by him, and while a reserved rent of one-fifth of the produce is paid to the Shah, the possessor disposes of it as he pleases, and is effectually its proprietor, subject to a rent charge. If he chooses to let out the water, at money rents, to other persons who have lands, which already pay the royal rent in produce, then the rent of the water is his own: the crown profits only by additional fertility thus bestowed upon spots, in the produce of which it shares. Among the Persians of property, most usually those in office, making cannauts is a favorite speculation; the villagers, too, often join and construct them, and these are the best proofs that this guarantee of the sovereign is faithfully observed.

Making proper allowances, however, for the more steady respect for subordinate interests, which the outlay for artificial irrigation makes necessary on the part of the Persian sovereigns, their management of the territory they own is very similar to what we have seen prevails in India. The ryots inhabiting villages cultivate the soil in common, or in allotments determined among themselves; their interest in the land is hereditary. "The original customary law concerning property," says Mr. Frazer, "clearly provided with much consideration for the security of the ryot. The rights of the villager were guarded at least as carefully as these of his lord: his title to cultivate his portion of land descends to him from the original commencement of the village to which he belongs, and can neither be disputed or refused him, nor can he forfeit it, nor can the lord of the village

eject any ryot, while he conducts himself well and pays his portion of the rent." ¹

The rent at present exacted from the ryot is one-fifth part of the produce ; it has varied and been differently assessed at the discretion of different Princes, more particularly Nushirvan and Timour. The Persians now state that by ancient custom only one-tenth was due : that the other tenth was agreed to be paid on a promise that the saaduraut or irregular taxes should cease ; but that though the additional tenth has been exacted, the taxes remain at least as oppressive as before.²

Above these hereditary cultivators is a subordinate proprietor, often called by Frazer the lord of the village, who is entitled to one-tenth of the crop. In this man the Indian Zemindar is immediately recognized : but though the word Zemindar was originally Persian, it does not appear to be in familiar use in Persia at present. The right of hereditary succession to this intermediate interest cannot have been fully recognized for any very long period. Chardin states that in his time the practice of taking leases for 99 years from the crown was only beginning to establish itself. Bernier distinctly denies that such a thing as private property in land was known in Persia. The interests of this class of men have naturally gathered strength and permanence in Persia, even more rapidly than in India, from the necessity of advances for the purposes of irrigation, which were usually made by them. Their right to the tenth of the produce seems to be now so completely severed from the duties of collection, that the jealousy of the Persian mon-

¹ Frazer, p. 208.

² Frazer, p. 211.

archs forbids them sometimes even to reside in their villages, to prevent, it is said, their tyrannizing over the ryots,¹ more probably to get rid of their interference in resisting the exactions of the government officers, which it is found they can do more effectually than the ryots themselves.²

There are persons in Persia who boast, perhaps with truth, that these estates, as they call them, have been in the hands of their family for a long succession of years. Did there exist a real body of landed proprietors in Persia, as secure in the possession of their heritage as these men are in their limited interests, the despotism of the Shah would at once be shackled. But men entitled to collect one-tenth of the produce from the tenants hereditary like themselves, while the great sovereign proprietor is collecting a fifth at the same time, are little likely to acquire an influence in the country, sufficient to protect either the subordinate ryots or themselves; and accordingly the chief weight of what is probably one of the worst governments in the world, rests upon the necks of the cultivators. "There is no class of men (says Frazer) whose situation presents a more melancholy picture of oppression and tyranny than the farmers and cultivators of the ground in Persia. They live continually under a system of extortion and injustice, from which they have no means of escape, and which is the more distressing, because it is indefinite both in form and extent, for no man can tell when, how, or to what amount

¹ Frazer, p. 208.

² Frazer, p. 390. The Ketkhoda (head man of the village) observed that those ryots who account with their landlords, are better off than those who account directly to government, from the officers of which the poorer classes suffer great extortions.

“demands upon him may without warning be made. It is
“upon the farmers and peasantry that the whole extortion
“practised in the country finally alights. The king wrings
“from his ministers and governors; they must procure the
“sums required from the heads of districts, who in their
“turn demand it from the zabuts or ketkhodahs of villages,
“and these must at last squeeze it from the ryots; each of
“these intermediate agents must also have their profits, so
“that the sum received by the king bears small proportion
“to that which is paid by the ryots. Every tax, every pres-
“ent, every fine, from whomsoever received or demanded
“in the first instance, ultimately falls on them, and such is
“the character of their rulers, that the only measure of
“these demands is the power to extort on the one hand,
“and the ability to give or retain on the other.”¹

SECTION IV.

On Ryot Rents in Turkey.

WHEN the Turks, after subduing the provinces of the Greek Empire, finally quartered themselves upon its ruins, the foundation of their system of revenue and government, like that of other Tartar tribes, rested upon an assumption that their leader had become the legitimate proprietor of the conquered soil.

The rent imposed upon the cultivators appears to have been originally calculated at one-tenth of the gross produce; and the estimated value of each district, at that rate, was at

¹ Frazer, p. 173.

a very early date registered in the treasury. The registers are still used, in accounting with the Pachas of the different provinces. But as the rent paid by each district never varies, whatever changes take place in its cultivation, the decay of agriculture and population has loaded many of the peasants with much heavier burthens than they at first bore. One-seventh of the produce where the cultivator is a Turk, one-fifth where he is a Christian, have appeared to later travellers in Greece to be about the average actual payment to the crown.

The violence with which the Turks exemplified in practice their Asiatic notions of the supreme right of their leader to the soil, will be best judged of by their next measure.

The Sultan granted a considerable portion of his proprietary rights to others, for the purpose of forming a sort of feudal militia. The officers of rank received allotments of land called *ziamets* and *timars*, in which their rights represent those of the sovereign, and the number created of these exceeded 50,000. The *ziamet* differed from the *timars* only in being larger. For these grants they were bound to perform military services, with a specified number of men. Their forces constituted, till the rise of the *Janissaries*, the main force of the Empire, and amounted it is said to 150,000 men. Similar grants are known in India by the name of *Iaghires*, in Persia by that of *Teecools*, but they were established less systematically in those countries than in Turkey. There these lands have never become hereditary. They are still strictly *lifehold*. In the early days of their institution, use was made of them to excite military emulation. On the death of the possessor, one of the

bravest of his comrades was immediately appointed to his estate, and one timar has been known to be thus granted eight times in a single campaign.¹ The disposal of them, however, has long become wholly venal. An Aga not unfrequently purchases during his life the grant of the reversion to his family; but if he neglects to do this, his relatives are dispossessed at his death, unless they outbid all other applicants.² With the exception of these interests for life, and of the estates vested in the Ulema or expounders of Mohammedan law, there are no distinctly recognized proprietary rights in Turkey. Although there, as among the ryots of India and Persia, and elsewhere throughout the east, there exist claims to the hereditary possession of land. While the peasant pays to the Sultan, or to the Aga to whose Zaim or Timar he belongs, the legal portion of his produce, his right to occupy and transmit his lands is not contested, and is secure, as far as any thing is secure there. In Greece the lands were, before the present convulsion, very generally cultivated by the ancient *mortitæ* or *metayer* tenants, who paid to the Agas half of their produce. Whether the lands thus cultivated consist exclusively of the domain lands attached to the Aga's Timar, or whether this rent is paid in consideration of stock advanced to the *rayah*, to enable him to cultivate better the lands of which he is himself the hereditary tenant, I have no materials for judging. It is probable that *mortitæ* are found of both descriptions.

There are evidently some advantages in the Turkish system compared with those of India or Persia. The per-

¹ Thornton, p. 166.

² Oliv. p. 192.

manence and moderation of the miri or land rent, is a very great one. If collected on an equitable system, that rent would be no more than a reasonable land tax, and the universal proprietorship of the Sultan would be reduced to a mere nominal or honorary superiority, like that claimed by many of the Christian monarchs of Europe. We may add, that the Turkish government has never been so wholly unequal to the task of controlling its officers, as the feeble dynasties of Delhi in their decline: nor so rapacious and capricious in its own exactions as the Shahs of Persia: but its comparative moderation and strength have remained useless to its unhappy subjects, from a degree of supineness and indifference as to the malversations of its distant officers, which may be traced, partly perhaps to the bigotry which has made the commander of the faithful careless about the treatment his Christian subjects received from Mahometan officers: and partly to an obstinate ignorance of the ordinary arts of civilized governments, which the vanity of the Ottomans has cherished as if it were a merit, and which their bigotry has also helped to recommend to their good opinion. Near the capital, and in the countries where the Turks themselves are numerous, there are some bounds to the oppression of the Pachas and Agas. The Turks, secure of justice if they can contrive to be heard by the superior authorities, have found the means of protecting their persons and properties, by belonging to societies, which are bound as bodies, to seek justice for the wrongs of individual members. But in the distant provinces no sect is safe. The cry of the oppressed is easily stifled, and if faintly heard, seems habitually disregarded. The

Sultan indeed abstains, with singular forbearance, from any attempts to raise the revenue paid to himself; but provided it is regularly transmitted by the Pachas of the provinces, he cares little by what means, or with what additional extortions, it is wrung from the people. The consequences are such as might be expected. The jealousy of the government allows the Pachas to remain in office but a short time, the knowledge of this inflames their cupidity, and the wretched cultivators are allowed to exist in peace upon the soil, only while they submit to exactions which have no other limit than the physical impossibility of getting more from them.

Volney has accurately described the effect of this state of things in Syria and Egypt. "The absolute title of the Sultan to the soil appears to aggravate the oppression of his officers. The son is never certain of succeeding to the father, and the peasantry often fly in desperation from a soil which has ceased to yield them the certainty of even a bare subsistence. Exactions, undiminished in amount, are demanded, and as far as possible extorted, from those who remain; depopulation goes on, the waste extends itself, and desolation becomes permanent." It is thus that a scanty and most miserable remnant of the people are found occupying tracts, which were the glory of ancient civilization; and of which the climate and the soil are such, that men would multiply and would enrich, almost without effort, themselves and their masters; did the general government think fit to protect its subjects with half the energy it sometimes exerts, to force the spoilers to disgorge a miserable pittance of plunder into the imperial treasury.

SECTION V.

Of Ryot Rents in China.

WE know enough of China to be aware, that the sovereign is there, as elsewhere in Asia, the sole proprietor of the soil : but we hardly know enough to judge accurately of the peculiar modifications which this system of imperial ownership has received in that country. The manner in which the Chinese government assumes possession of the land, and imposes a rent upon it in the case of new conquests, is curiously illustrated by a letter of a victorious Chinese commander to the Emperor, published by Mr. Patton.¹ Although one-tenth of the produce is the nominal rent in China, it is not unlikely that a very different portion is actually collected. It would be very interesting to have more multiplied and detailed observations on the practical effects of the system among the Chinese, than the jealousy of the government is likely soon to give opportunity for obtaining.

The progress and effects of ryot rents in China, must almost necessarily have been very different from those exhibited by India, Persia, or Turkey. In these last countries, the vices of the government, and the oppression and degradation resulting from them, have left us little means of judging what might be the results of the system itself, if conducted for any considerable period by an administration more mild and forbearing, and capable of giving security to the persons and property of the cultivators. In China this experiment seems to have been fairly tried. The arts of government

¹ Patton, 232, 233.

are, to a certain extent, understood by the laboriously educated civilians, by whose hands the affairs of the Empire are carried on; the country has, till very lately, been remarkably free from intestine convulsion or serious foreign wars, and the administration has been well organized, pacific and efficient. The whole conduct indeed of the Empire, presents a striking contrast to that of the neighbouring Asiatic monarchies, the people of which, accustomed to see violence and bloodshed the common instruments of government, express great wonder at the spectacle of the Chinese statesmen upholding the authority of the state rather by the pen than the sword.¹ One effect we know to have followed from the public tranquillity: the spread of agriculture, and an increase of people much beyond that of the neighbouring countries. While not one half of India has ever been reclaimed, and less still of Persia, China is as fully cultivated, and more fully peopled than most European monarchies.

Whether any class of subordinate proprietors exists between the crown and the persons paying produce rents like to the Zemindars, of India; whether the persons actually liable for the produce rents, are the cultivating peasants themselves, or a class above them, we have no sufficient data to determine. In some cases, at least, the actual cultivators are persons hiring the ground from those liable for the crown, and paying them half the produce.

There are abundant indications that the Chinese popula-

¹ Frazer, Appendix, p. 114. See Frazer's account of the Chinese administration in the provinces nearest Khorassan, and of the effect which the spectacle of that administration produced on the minds of merchants and travellers from other Asiatic states.

tion has, in some parts of the Empire, increased beyond the number for which the territory can produce a plentiful subsistence, and that they are in a state of the most wretched penury. The very facilities for increase which good government gives to a ryot population, will usually be followed by such a consequence, if in the progress of their multiplication a certain advance has not taken place in the habits and civilization of the mass of the people. The absence of that improvement may flow from various causes, which in unfolding the subject of population, it will be part of our business to distinguish. We know enough of China to be sure, that obstacles to the amelioration of the habits and character of the mass of the people, exist in abundance there, and therefore the rapid spread of population, up to a certain point, would certainly be the first effect of a mild administration. According to Klaproth, the number of ryots (*paysans contribuables*) at the time of the Mantchou conquest in 1644, was registered as twenty-six millions, while all other classes were estimated at eleven millions. And since that time he calculates that the whole population has quadrupled.

The revenue of China amounts to about eighty-four millions of ounces of silver. Of this revenue, about thirty-three millions is paid in money, and about fifty-one millions in grains, rice, &c., consumed for the most part by the local administration of the provinces. A portion only, of the value of about six millions of ounces, is annually remitted to Pekin. The receipt of this huge revenue, in the primitive shape of agricultural produce, is a striking proof that the power and means of the Emperor of China, like those of other eastern sovereigns, are intimately connected with, or

rather founded on, his rights as universal proprietor of the soil.¹

There are other considerable countries in Asia in which we have good reason to conclude, that ryot rents prevail; consisting, first, of the countries between Hindostan and China, the Birman Empire, and its dependencies, Cochin China, &c.; and, secondly, of the states inhabited by agricultural Tartars, north of the Himalaya mountains and east of Persia, Samarcand, Bokhara, and the states of Little Bucharia: but the peculiar modifications the system may receive in these countries, and the details of the relations there between landlord and tenant, are at present even more out of our reach than in the case of China.

SECTION VI.

Mixture of other Rents with Ryot.

ON examining, where we are able to do it minutely, the state of the countries in which ryot rents prevail, we are immediately struck with the fact, that they are sometimes mixed up with both labor rents and metayer rents. The land then presents a strange complication of interests. There is an hereditary tenant, liable to a produce rent to the crown, and by custom and prescription irremoveable while he pays it. This same tenant, receiving some assistance in seed and implements, pays a second produce rent to another person, whose character fluctuates between that

¹ *Bulletin des Sciences*, No. 5, Mai 1829, p. 314.

of an hereditary officer of the crown, and that of a subordinate proprietor ; and sometimes a third rent is paid to this subordinate proprietor, in labor, exerted on land cultivated for his exclusive benefit.

To begin with the labor rents, thus engrafted on ryot rents. The Ryot of Bengal often grants a plot of his ground to a ploughman who assists him. This is a pure labor rent, paid by the under-tenant. The Zemindars often demand from the ryots themselves, a certain quantity of labor, to be performed on their domain lands. This demand is often excessive, and is the source of grievous oppression and frequent complaint, both in India and Persia. When moderate however, it is considered legal, and then forms another labor rent, paid by the ryot himself. The Agas of Turkey often force the rayahs of their Zaims or Timars, to perform a certain number of days' work on their own private farms. This is unquestionably altogether an illegal exaction ; but is so customary that it must be counted in practice as an additional rent.

Metayer rents too have a constant tendency to spring up and engraft themselves on ryot rents throughout Asia, wherever the moderation and efficiency of the government is such as to ensure protection to the property advanced to the cultivator, or wherever the relation of the party advancing stock to the cultivator, is such as to give a peculiar power of enforcing payment, and a peculiar interest in assisting cultivation. Both the government and the Zemindars in India occasionally advance seed and stock to the ryot. The government reluctantly, and only when it cannot avoid it : the lands thus cultivated on the part of government,

are called *coss* and *comar* ; and to get them into the hands of ryots, who can cultivate themselves, seems to have been always an object of policy. The Zemindars more readily and habitually make such advances, and as their share of the produce is then regulated wholly by their private bargain with the ryot, he no doubt is occasionally much oppressed : but this is not always the case. In Persia particularly, this arrangement is considered the best for the tenant ; because in that country, it is only in this case, that the Zemindar or subordinate proprietor undertakes to ward off the extortion of the officers of the crown, and to settle with them himself.

SECTION VII.

Summary of Ryot Rents.

THERE is nothing mischievous in the direct effect of ryot rents. They are usually moderate ; and when restricted to a tenth, or even a sixth, fifth, or fourth of the produce, if collected peacefully and fairly, they become a species of land tax, and leave the tenant a beneficial hereditary estate. It is from their indirect effects, therefore, and from the form of government in which they originate, and which they serve to perpetuate, that they are full of evil, and are found in practice more hopelessly destructive of the property and progress of the people, than any form of the relation of landlord and tenant known to us.

The proprietary rights of the sovereign, and his large and practically indefinite interest in the produce, prevent the

formation of any really independent body on the land. By the distribution of the rents which his territory produces, the monarch maintains the most influential portion of the remaining population in the character of civil or military officers. There remain only the inhabitants of the towns to interpose a check to his power : but the majority of these are fed by the expenditure of the sovereign or his servants. We shall have a fitter opportunity to point out, how completely the prosperity, or rather the existence, of the towns of Asia, proceeds from the local expenditure of the government. As the citizens are thus destitute from their position of real strength, so the Asiatic sovereigns, having no body of powerful privileged landed proprietors to contend with, have not had the motives which the European monarchs had, to nurse and foster the towns into engines of political influence, and the citizens are proverbially the most helpless and prostrate of the slaves of Asia. There exists nothing therefore in the society beneath him, which can modify the power of a sovereign, who is the supreme proprietor of a territory cultivated by a population of ryot peasants. All that there is of real strength in such a population, looks to him as the sole source not merely of protection but of subsistence : he is by his position and necessarily a despot. But the results of Asiatic despotism have ever been the same : while it is strong it is delegated, and its power abused by its agents ; when feeble and declining, that power is violently shared by its inferiors, and its stolen authority yet more abused. In its strength and in its weakness it is alike destructive of the industry and wealth of its subjects, and all the arts of peace ; and it is this which makes that

peculiar system of rents, on which its power rests, particularly objectionable and calamitous to the countries in which it prevails.

In countries cultivated by ryots, the wages of the main body of the people are determined by the rent they pay, as is the case it will be remembered under all varieties of peasant rents. The quantity of produce being determined by the fertility of the soil, the extent of his allotments of land, and the skill, industry, and efficiency of the ryot: the division of that produce on which his wages depend, is determined by his contract with the landlord, that is, by the rent he pays.

In like manner the amount of rent in such countries is determined by the amount of wages. The amount of the produce being decided as before, the landlord's share, the rent, depends upon the contract he makes with the laborer, that is, upon the amount deducted as wages.

The existence and progress of rents under the ryot system is in no degree dependent upon the existence of different qualities of soil, or different returns to the stock and labor employed on each. The sovereign proprietor has the means of enabling a body of laborers to maintain themselves, who without the machinery of the earth with which he supplies them, must starve. This would secure him a share in the produce of their labor, though all the lands were perfectly equal in quality.

Ryot rents may increase from two causes, from an increase of the whole produce, effected by the greater skill, industry, and efficiency of the tenant: or from an increase of the sovereign's proportion of the produce; the pro-

duce itself remaining the same, and the tenant's share becoming less.

When the rent increases and the produce remains stationary, the increase indicates no augmentation of public wealth. There has been a transfer of wealth, but no increase of it; and one party is impoverished by the precise amount that another is enriched. But when ryot rents increase because the produce has become larger, the country is enriched by an addition of wealth to the full amount of the increase. Its power of maintaining fleets and armies, and all the elements of public strength, have been augmented to that extent; there has been a real increase of wealth, not a mere transfer of what before existed, from one hand to another. Such an increase too indicates an augmentation of the revenues of the ryots themselves. If the tenth or sixth of the sovereign has doubled, the nine-tenths or five-sixths of the ryot have doubled also.

The increase of rents which is thus seen to go hand in hand with the improvement of the general wealth and strength, is that which alone in the long run can really benefit the landlord. While an increase of produce rents has its source in greater crops, it may go on till the skill of man and the fertility of the earth have reached their maximum, that is, indefinitely. Asiatic tenants, cultivating with their own soil and climate, and the skill and energy of the best European farmers, might create produce much greater than any yet known in that quarter of the globe, and be greatly improving their own revenue while they were paying increased rents to the sovereign. And while the prosperity of the ryots thus kept pace with the increase of rents, the

result would be, not merely an increase of the crops on the lands already cultivated, but the rapid spread of cultivation to other lands. A protected and thriving and increasing population would speedily reclaim the rich wastes of Turkey and India, and call back their vanished fertility to the deserted plains of Persia, multiplying at every step both the direct revenue of the sovereign landlord, and his resources in the general wealth of his people. Taking Asia as a whole, such a progress seems visionary, but it is occasionally exhibited, on a smaller scale, in a manner which very distinctly proves it possible, and indeed easy on the greatest. An increase of rents derived from a stationary produce, and a diminution of the ryot's share, is unfortunately more common in Asia, and leads to no such results. In the state in which the ryots usually exist, to decrease their revenue is to injure if not to destroy their efficiency as agents of cultivation. A serious invasion of it is very usually followed, and carried to a certain extent it must be followed, by the desertion of the cultivators and the abandonment of cultivation, and a total cessation of rent. The greediness of eastern rulers ordinarily snatches at the bait of present gain, and overlooks or disregards the very different ultimate consequences which follow the augmenting their landed revenues, from the one, or from the other, of these sources of increase. Hence in a great measure the actual state of Asia, the misery of the people, the poverty and feebleness of the governments. An examination into the nature and effects of ryot rents, receives an almost mournful interest from the conviction, that the political and social institutions of the people of this large division of the earth, are likely for many long

ages yet to come, to rest upon them. We cannot unveil the future, but there is little in the character of the Asiatic population, which can tempt us even to speculate upon a time, when that future, with respect to them, will essentially differ from the past and the present.

CHAPTER V.

Cottier Rents.

UNDER the head of cottier rents, we may include all rents contracted to be paid in money, by peasant tenants, extracting their own maintenance from the soil.

They are found to some extent in various countries; but it is in Ireland alone that they exist in such a mass, as palpably to influence the general state of the country. They differ from the other classes of peasant rents in this the most materially; that it is not enough for the tenant to be prepared to give in return for the land which enables him to maintain himself, a part of his labor, as in the case of serf rents, or a definite proportion of the produce, as in the case of metayer or ryot rents. He is bound, whatever the quantity or value of his produce may be, to pay a fixed sum of money to the proprietor. This is a change most difficult to introduce, and very important when introduced. Money payments from the occupiers, are by no means essential, we must recollect, to the rise or progress of rents. Over by far the greater part of the globe such payments have never yet been established. Tenants yielding plentiful rents in produce, may be quite unable, from the infrequency of exchanges, to pay even small sums in money, and the owners of the land may, and do, form an affluent body, consuming and distributing

a large proportion of the annual produce of a country, while it is extremely difficult for them to lay their hands on very insignificant sums in cash. Money rents, indeed, are so very rarely paid by *peasant* cultivators, that where they do exist among them, we may expect to find the power of discharging them founded on peculiar circumstances. In the case of Ireland, it is the neighbourhood of England, and the connection between the two countries, which support the system of money rents paid by the peasantry. From all parts of Ireland, the access, direct or indirect, to the English market, gives the Irish cultivators means of obtaining cash for a portion of their produce. In some districts, it even appears that the rents are paid in money earnt by harvest-work in England; and it is repeatedly stated in the evidence before the Emigration Committee, that, were this resource to fail, the power of paying rents would cease in these districts at once. Were Ireland placed in a remoter part of the world, surrounded by nations not more advanced than herself, and were her cultivators dependent for their means of getting cash on her own internal opportunities of exchange; it seems highly probable, that the landlords would soon be driven by necessity to adopt a system of either labor or produce rents, similar to those which prevail over the large portion of the globe, cultivated by the other classes of peasant tenantry.

Once established, however, the effects of the prevalence of cottier rents among a peasant population are important: some advantageous, some prejudicial. In estimating them, we labor under the great disadvantage of having to form

our general conclusions from a view of a single instance, that of Ireland. Did we know nothing of labor rents but what we collect from one country, Hungary for instance, how very deficient would have been notions of their characteristics.

The disadvantages of cottier rents may be ranged under three heads. First, the want of any external check to assist in repressing the increase of the peasant population beyond the bounds of an easy subsistence. Secondly, the want of any protection to their interests, from the influence of usage and prescription in determining the amount of their payments. And, thirdly, the absence of that obvious and direct common interest, between the owners and the occupiers of the soil, which under the other systems of peasant rents, secure to the tenants the forbearance and assistance of their landlords when calamity overtakes them.

The first, and certainly the most important disadvantage of cottier rents is the absence of those external checks (common to every other class of peasant rents) which assist in repressing the effects of the disposition found in all peasant cultivators, to increase up to the limits of a very scanty subsistence.

To explain this, we must, to a slight extent, anticipate the subject of population. It shall be as shortly as possible. We know that men's animal power of increase is such, as to admit of a very rapid replenishing of the districts they inhabit. When their numbers are as great as their territory will support in plenty, if the effects of such a power of increase are not diminished, their condition must get worse. If, however, the effects of their animal power of

multiplication are diminished, this must happen, either from internal causes or motives, indisposing them to its full exercise, or from external causes acting independently of their will. But a peasant population, raising their own wages from the soil, and consuming them in kind, whatever may be the form of their rents, are universally acted upon very feebly by internal checks, or by motives disposing them to restraint. The causes of this peculiarity we shall have hereafter to point out. The consequence is, that unless some external cause, quite independent of their will, forces such peasant cultivators to slacken their rate of increase, they will, in a limited territory, whatever be the form of their rents, very rapidly approach a state of want and penury, and will be stopped at last only by the physical impossibility of procuring subsistence. Where labor or metayer rents prevail, such external causes of repression are found in the interests and interference of the landlords: where ryot rents are established, in the vices and mismanagement of the government:¹ where cottier rents prevail, no such external causes exist, and the unchecked disposition of the people leads to a multiplication which ends in wretchedness. Cottier rents, then, evidently differ for the worse in this respect from serf and metayer rents. It is not meant of course that serfs and metayers do not increase till their numbers and wants would alone place them very much at the mercy of the proprietors, but the obvious interest of those proprietors

¹ Where the phenomenon can be observed of a mild and efficient government over a race of ryot tenants, as in China, they are found to increase with extraordinary rapidity.

leads them to refuse their assent to the further division of the soil, and so to withhold the means of settling more families, long before the earth becomes thronged with a multitudinous tenantry, to which it can barely yield subsistence. The Russian or Hungarian noble wants no more serf tenants than are sufficient for the cultivation of his domain; and he refuses allotments of land to any greater number, or perhaps forbids them to marry. The power of doing this has at one time or other existed as a legal right wherever labor rents have prevailed. The owner of a domain cultivated by metayers, has an interest in not multiplying his tenants, and the mouths to be fed, beyond the number necessary to its complete cultivation. When he refuses to subdivide the ground further, fresh families can find no home, and the increase of the aggregate numbers of the people is checked. The thinness of the population in ryot countries is ordinarily caused by the vices and violence of the government, and there is no question that this is what keeps so large a portion of Asia ill peopled or desolate. But when cottier rents have established themselves, the influence of the landlord is not exerted to check the multiplication of the peasant cultivators, till an extreme case arrives. The first effects of the increasing numbers of the people, that is, the more ardent competition for allotments, and the general rise of rents, seem for a time unquestionable advantages to the landlords, and they have no direct or obvious motive to refuse further subdivision, or to interfere with the settlement of fresh families, till the evident impossibility of getting the stipulated rents, and perhaps the turbulence of

peasants starving on insufficient patches of land, warn the proprietors that the time is come, when their own interests imperiously require that the multiplication of the tenantry should be moderated. We know, however, from the instance of Ireland, the only one on a large scale open to our observation, that while rents are actually rising, a conviction that their nominal increase is preparing a real diminution, comes slowly, and is received reluctantly; and that before such a conviction begins to be generally acted upon, the cultivators may be reduced to a situation, in which they are both wretched and dangerous.

The tardiness with which landlords exert their influence in repressing the multiplication of the people, must be ranked then among the disadvantages of cottier, when compared with serf or metayer rents.

Their second disadvantage is the want of any influence of custom and prescription, in keeping the terms of the contract between the proprietors and their tenantry, steady and fixed.

In surveying the habits of a serf or metayer country, we are usually able to trace some effects of ancient usage. The number of days' labor performed for the landlord by the serf remains the same, from generation to generation, in all the provinces of considerable empires. The metayer derived his old name of *Colonus Medietarius* from taking half the produce; and half the produce we see still his usual portion, throughout large districts containing soils of very different qualities. It is true that this influence of ancient usage does not always protect the tenant from want or oppression; its tendency however is decidedly in his favor.

But cottier rents, contracted to be paid in money, must vary in nominal amount with the variations in the price of produce : after change has become habitual, all traces of a rent, considered equitable because it is prescriptive, are wholly lost, and each bargain is determined by competition.

There can be little doubt that the tendency to constancy in the terms of their contract, observable in serf and metayer countries, is on the whole a protection to the cultivators, and that change and competition, common amongst cottiers, are disadvantageous to them.

The third disadvantage of cottier rents is the absence of such a direct and obvious common interest between landlord and tenant, as might secure to the cultivator assistance when in distress.

There can be no case in which there is not, in reality, a community of interest between the proprietors of the soil, and those who cultivate it ; but their common interest in the other forms of peasant holding, is more direct and obvious, and therefore more influential, upon the habits and feelings of both tenants and landlords. The owner of a serf relies upon the labor of his tenants for producing his own subsistence, and when his tenant becomes a more inefficient instrument of cultivation, he sustains a loss. The owner of a metairie, who takes a proportion of the produce, cannot but see that the energy and efficiency of his tenant, are his own gain : languid and imperfect cultivation his loss. The serf, therefore, relies upon his lord's sense of interest, or feelings of kindness for assistance, if his crops fail, or calamity overtakes him in any shape ; and he seldom is repulsed or deceived. This half recognized claim to assistance

seems, we know, occasionally, so valuable to the serfs, that they have rejected freedom from the fear of losing it. The metayers receive constantly loans of food and other assistance from the landlord, when from any causes their own resources fail. The fear of losing their stock, their revenue, and all the advances already made, prevent the most reluctant landlords from withholding aid on such occasions. Even the Ryot, miserable as he ordinarily is, and great as is the distance which separates him from the sovereign proprietor, is not always without some share in these advantages. His exertions are felt to be the great source of the revenue of the state, and under tolerably well regulated governments, the importance is felt and admitted, of aiding the cultivators when distressed, by forbearance, and sometimes by advances.¹ The interests of the cottier tenant are less obviously identified with those of the proprietor: changes of tenants, and variations of rent, are common occurrences, and the removal of an unlucky adventurer, and the acceptance of a more sanguine bidder, are expedients more easy and palatable to the proprietors, than that of mixing themselves up with the risks and burthens of cultivation, by advances to their tenants. In the highlands of Scotland, indeed, the chief assisted his clan largely. They were his kinsmen and defenders: bound to him by ties of blood, and the guardians of his personal safety. The habits engendered while these feelings were fresh, are not yet worn out. Lord Stafford has sent to Sutherland very large supplies of food. The chief of the isle of Rumsey supported his people to such an extent, that he has lately found it worth while to expend very consider-

¹ Aurenzebe's *Instructions to his Collectors*. (See Appendix VI.)

able sums in enabling them to emigrate.¹ But the cottier merely as such, the Irish cottier, for instance, has no such hold on the sympathies of his landlord, and there can be no question that of the various classes of peasant tenantry, they stand the most thoroughly desolate and alone in the time of calamity: that they have the least protection from the ordinary effects of disastrous reverses, or of the failure of their scanty resources from any other causes.

Such are the disadvantages of this the least extensive system of peasant rents. The principal advantage the cottier derives from his form of tenure, is the great facility with which, when circumstances are favourable to him, he changes altogether his condition in society. In serf, metayer, or ryot countries, extensive changes must take place in the whole framework of society, before the peasants become capitalists, and independent farmers. The serf has many stages to go through before he arrives at this point, and we have seen how hard it is for him to advance one step. The metayer too must become the owner of the stock on his farm, and be able to undertake to pay a money rent. Both changes take place slowly and with difficulty, especially the last, the substitution of money rents, which supposes a considerable previous improvement in the internal commerce of the nation, and is ordinarily the result, not the commencement, of improvement in the condition of the cultivators. But the cottier is already the owner of his own stock, he exists in a society in which the power of paying money rents is already established. If he thrives in his occupation, there is nothing to prevent his enlarging his

¹ See *Emigration Report*.

holding, increasing his stock, and becoming a capitalist, and a farmer in the proper sense of the word. It is pleasing to hear the resident Irish landlords, who have taken some pains, and made some sacrifices, to improve the character and condition of their tenantry, bearing their testimony to this fact, and stating the rapidity with which some of the cottiers have, under their auspices, acquired stock, and become small farmers. Most of the countries occupied by metayers, serfs, and ryots, will probably contain a similar race of tenantry for some ages. If the events of the next half century are favourable to Ireland, her cottiers are likely to disappear, and to be merged in a very different race of cultivators. This facility for gliding out of their actual condition to a higher and a better, is an advantage, and a very great advantage, of the cottier over the other systems of peasant rents, and atones for some of its gloomier features.

Making allowances for the peculiarities pointed out, the effects of cottier rents on the wages of labor, and other relations of society, will be similar to those of other peasant rents. The quantity of produce being determined by the fertility of the soil, the extent of the allotment, and the skill and industry of the cottier; the division of that produce on which his wages depend, is determined by his contract with the landlord; by the rent he pays. And again, the whole amount of produce being determined as before, the landlord's share, the rent, depends upon the maintenance left to the peasant, that is, upon his wages.

The existence of rent, under a system of cottier tenants, is in no degree dependent upon the existence of different

qualities of soil, or of different returns to the stock and labor employed. Where, as has been repeatedly observed, no funds sufficient to support the body of the laborers, are in existence, they must raise food themselves from the earth, or starve; and this circumstance would make them tributary to the landlords, and give rise to rents, and, as their number increased, to very high rents, though all the lands were perfectly equal in quality.

Cottier rents, like other peasant rents, may increase from two causes; first, from an increase of the whole produce, of which increase the landlord takes the whole or a part. Or, the produce remaining stationary, they may increase from an augmentation of the landlord's share, that of the tenant being diminished to the exact amount of the additional rent.

When the rent increases and the produce remains stationary, the increase of rent indicates no increase of the riches and revenue of the country: there has been a transfer of wealth, but no addition to it: one party is impoverished to the precise amount to which another is enriched.

When, on the other hand, increased rents are paid by increased produce, there is an addition to the wealth of the country, not a mere transfer of that already existing: the country is richer to the extent, at least, of the increased rent: and, probably, to a greater extent from the increased revenue of the cultivators.

It is obviously the interest of the landlord of cottier, as of other peasant tenants, that an increase of his rents should always originate in the prosperity of cultivation, not in pressure on the tenants. The power of increase

from the last source is very limited: from improvement, indefinite.

It is clearly too the interest of the landlord, that the cottier tenantry should be replaced by capitalists, capable of pushing cultivation to the full extent to which skill and means can carry it: instead of the land being entrusted to the hands of mere laborers, struggling to exist, unable to improve, and when much impoverished by competition, degraded, turbulent, and dangerous.

CHAPTER VI.

SUMMARY OF PEASANT RENTS.

Influence of Rent on Wages.

ONE important fact must strike us forcibly on looking back on the collective body of those primary or peasant rents, which we have been tracing, in their various forms, over the surface of the globe. It is their constant and very intimate connection with the wages of labor.

In this respect the serf, the metayer, the ryot, the cottier, are alike : the terms on which they can obtain the spot of ground they cultivate, exercise an active and predominant influence, in determining the reward they shall receive for their personal exertions ; or, in other words, their real wages. We should take a very false view of the causes which regulate the amount of their earnings, if we merely calculated the quantity of capital in existence at any given time, and then attempted to compute their share of it by a survey of their numbers. As they produce their own wages, all the circumstances which affect either their powers of production, or their share of the produce, must be taken into the estimate. And among these, principally, those circumstances, which we have seen distinguish one set of peasant tenantry from another. The mode in which their rent is paid, whether in labor, produce, or money : the effects of time and usage in

softening, or exaggerating, or modifying, the original form or results of their contract : all these things, and their combined effects, must be carefully examined, and well considered, before we can expect to understand what it is which limits the wages of the peasant, and fixes the standard of his condition and enjoyments.

While, then, the position of a large proportion of the population of the earth continues to be, what it has ever yet been, such as to oblige them to extract their own food with their own hands from its bosom ; the form and condition of peasant tenure, and the nature and amount of the rents paid under them, will necessarily exercise a leading influence on the condition of the laboring classes, and on the real wages of their labor.

Influence of Peasant Rents on Agricultural Production.

The next remarkable effect, common to all the forms of peasant rents, is their influence in preventing the full development of the productive powers of the earth.

If we observe the difference which exists in the productiveness of the industry of different bodies of men, in any of the various departments of human exertion, we shall find that difference to depend, almost wholly, on two circumstances : first, on the quantity of contrivance used in applying manual labor : secondly, on the extent to which the mere physical exertions of men's hands are assisted by the accumulated results of past labor : in other words, on the different quantities of skill, knowledge, and capital, brought to the task of production. A difference in these, occasions all the difference between the productive powers of a body of

savages, and those of an equal body of English agriculturists or manufacturers: and it occasions also the less striking differences, which exist between the productive powers of the various bodies of men, who occupy gradations between these two extremes.

When the earth is cultivated under a system of peasant rents, the task of directing agriculture, and of providing what is necessary to assist its operations, is either thrown wholly upon the peasants, as in the case of ryot and cottier rents, or divided between them and their landlords, as in the case of serf and metayer rents. In neither of these cases is the efficiency of agricultural industry likely to be carried as far as it might be. Poverty, and the constant fatigues of laborious exertion, put both science, and the means of assisting his industry by the accumulation of capital, out of the reach of the peasant. And when the landlords have once succeeded in getting rid in part of the burthen of cultivation, and have formed a body of peasant tenantry, it is in vain to hope for much steady superintendance or assistance from them. The fixed and secure nature of their property, and the influence which it gives them in the early stages of society over the cultivating class, that is, over the great majority of the nation, lead to the formation of feelings and habits, inconsistent with a detailed attention to the conduct of cultivation; while they very rarely possess the power and the temper steadily to accumulate the means of assisting the industry employed on their estates. Some skill, and some capital, must be found among the very rudest cultivators: but the most efficient direction of labor, and the accumulation and contrivance of the means to endow it with the

greatest attainable power, seem to be the peculiar province, the appointed task, of a race of men, capitalists, distinct from both laborers and landlords, more capable of intellectual efforts than the lower, more willing to bring such efforts to bear on the improvement of the powers of industry, than the higher, of those classes. On the peculiar functions of this third class of men in society, and of the various effects moral, economical, and political, produced by the multiplication of their numbers and their means, we shall hereafter have to treat. Their absence from the task of cultivation, which is common to all the wide classes of peasant tenures, prevents that perfect developement of the resources of the earth, which their skill, their contrivance, and the power they exercise by the employment of accumulated resources, do and can alone effect.

Small Numbers of the Non-agricultural Classes.

Resulting from this imperfect developement of the powers of the earth, will be found a stunted growth of the classes of society unconnected with the soil. It is obvious, that the relative numbers of those persons who can be maintained without agricultural labor, must be measured wholly by the productive powers of the cultivators. Where these cultivate skilfully, they obtain produce to maintain themselves and many others ; where they cultivate less skilfully, they obtain produce sufficient to maintain themselves and a smaller number of others. The relative numbers of the non-agricultural classes will never be so great, therefore, where the resources of the earth are developed with deficient or moderate skill and power, as they are when these resources are

developed more perfectly. In France and Italy, the agriculture of the peasant tenantry is good when compared with that of similar classes elsewhere, and the soil and climate are, on the whole, excellent ; yet the number of non-agriculturists is in France only as 1 to 2, in Italy as 4 to 13, while in England, with an inferior soil and climate (agricultural climate, that is,) the non-agriculturists are to the cultivators as 2 to 1.¹ The relative numbers and influence of the non-agricultural classes powerfully affect, as we have had occasion before to remark, the social and political circumstances of different countries, and, indeed, mainly decide what materials each country shall possess, for the formation of those mixed constitutions in which the power of the crown, and of a landed aristocracy, are balanced and controlled by the influence of numbers, and of property freed from all dependence on the soil.

I shall not be understood of course, as meaning to assert, that the presence of a large proportion of non-agriculturists is essential to the existence of democratic institutions : we have abundance of instances to the contrary. But when a powerful aristocracy already exists on the soil, as where peasant rents prevail, it needs must ; then the efficient introduction of democratic elements into the constitution, depends almost entirely upon the numbers and property of the non-agricultural classes. The indirect influence of peasant tenures therefore, in limiting the numbers of the non-agricultural

¹ In England, too, a larger number of animals are kept for pleasure, and a variety of purposes unconnected with cultivation : the power of feeding these must be reckoned, when we are calculating the efficiency of her agriculture.

classes, must be reckoned among the most important of the political results of those tenures.

Identity of the Interests of Landlords with those of their Tenantry and the Community.

A little attention is sufficient to shew, that under all the forms of peasant tenures, the interests of the landlords are indissolubly connected with those of their tenantry and of the community at large. The interest of the state obviously is, that the resources of its territory should be fully developed by a class of cultivators free, rich, and prosperous, and therefore equal to the task. The interest of the tenant must ever be to increase the produce of the land, on which produce he feeds, to shake off the shackles of servile dependence : and to attain that form of holding which leaves him most completely his own master, and presents the fewest obstructions to his accumulation of property.

The interests of the landed proprietor concur with these interests of the state and the tenantry.

There is indeed a method by which his revenue may be increased, neither beneficial to the community, nor advantageous to the tenant ; that is, by encroaching on the tenant's share of the produce, while the produce itself remains unaltered. But this is a limited and miserable resource, which contains within itself the principles of a speedy stoppage and failure. That full developement of the productive powers of a territory, which is essential to the progressive rise of the proprietor's income, can never be forwarded by the increasing penury of the cultivators. While the peasant is the agent or principal instrument of production, the agriculture

of a country can never thrive with his deepening depression. If the waste plains of Asia, and the forests of Eastern Europe, are ever to produce to their proprietors a revenue at all like what similar quantities of land yield in the better cultivated parts of the world ; it is not by increasing the penury of the race of peasantry by which they are now loosely occupied, that such a result will be brought about. Their increased misery can only stay the spread of cultivation and diminish its powers. The miserable scantiness of the produce of a great part of the earth, is visibly mainly owing to the actual poverty and degradation of the peasant cultivators. But the real interest of the proprietors never can be to snatch a small gain from a dwindling fund, which at every invasion of theirs is less likely to be augmented, when they might ensure a progressive increase from the indefinite augmentation of the fund itself. It is obviously therefore most advantageous to the proprietors, that their revenues should increase from the increasing produce of the land, and not from the decreasing means of its cultivators ; and so far their interest is clearly the same with that of the state and the peasantry.

And further, it is no less the interest of the landlords, than it is that of other classes in the state, that the ruder and more oppressive forms of his contract with his tenant should gradually be exchanged for others, more consistent with the social and political welfare of the cultivators. The landlord who receives labor rents must be a farmer himself : the landlord of the metayer must support most of the burthens of cultivation, and share in all its hazards ; the landlord of the cottier must be exposed to frequent

losses from the failure of the means of his tenantry, and after a certain point in their depression, to considerable danger from their desperation. All the advantages incident to the position of a landed proprietor, are only reaped in their best shape, when his income is fixed, and (extraordinary casualties excepted) certain; when he is free from any share in the burthens and hazards of cultivation; when with the progress of national improvement his property has its utmost powers of production brought into full play, by a race of tenants possessed of intellect and means equal to the task. The receiver of labor rents therefore, gains a point when they are changed to produce rents; the receiver of produce rents from a metayer gains a point when they are changed to money rents. The landlord of cottiers gains a point when they become capitalists; and the sovereign of the ryot cultivators gains a point when the produce due from them can be commuted for fixed payments in money. There is no one step in the prosperous career of a peasant tenantry, of any description, at which the interests of the landlords are not best promoted by their prosperity: and that in spite of the admitted possibility of a stinted gain to the proprietors, founded on the increasing penury of the cultivators.

On the Causes of the long Duration of the Systems of Primary or Peasant Rents.

Perhaps in an enquiry into the nature and effects of the different systems of peasant rents, the most interesting tract in the whole line of investigation, is that in which we seek to discover the causes which have kept them permanent and

unchanged, over a large part of the earth, through a long succession of ages.

The interests of the state, of the proprietors, of the tenantry themselves, are all advanced by the progressive changes which in prosperous communities successively take place in the mode of cultivating the soil. And yet in spite of the ordinary tendency of human institutions to change, and of the numerous interests which in this instance combine to make change desirable, ages have travelled past, and a great portion of the earth's surface is still tilled by races of peasantry, holding the land by tenures and on conditions similar to those imposed upon the persons in whose hands the task of cultivation was first placed. Such are the serfs of the east, the metayers who cover the west of Europe, and the ryots who occupy the whole of Asia.

When we look at those countries in which peasant rents have at any time prevailed, and observe their actual condition with reference to past, or probable changes, those rents shew themselves in four unequal masses. From the *first* division, they have already passed; spontaneous changes, gradually brought about, in slow succession, have obliterated all marks of the earlier and ruder forms of holding. A race of capitalists providing the stock, advancing the wages of labor, and paying fixed money rents, have taken entire possession of the task of cultivation, from which the proprietors are completely extricated. The portion of the earth's surface on which this has taken place is small. It comprises England, the greater part of Scotland, a part of the kingdom of the Netherlands, and spots in France, Italy, Spain, and Germany. In *another* part of the globe, we see the causes

which have elsewhere produced the changes just referred to, still actually at work, but their results yet incomplete. Without any deliberate purpose on the part of any class, changes are quietly and silently taking place, through which the agricultural population are advancing to a position similar to that of the English farmers and laborers. This process may be observed in the west of Germany: there the serfs have for some ages been going through a sluggish process of transmutation into leibeigeners, hereditary tenants with fixed labor rents, and not chained to the soil. The leibeigeners are slowly assuming the character of meyers subject to an unalterable produce rent; a very few steps in advance will range the meyer by the side of the English copyholder; and then all the substantial effects of their former condition, as tenants paying labor rents, will have disappeared.

There is this material difference, however, between the past state of England, and the present state of Germany. In England, the tenants who on the disuse of the labor of the serf tenantry, took charge of the cultivation of the domains of the proprietors, were found on the land; they were yeomen. In Germany, the tenants of the domains are offsets from the non-agricultural population, and their capital has been accumulated in employments distinct from agriculture. In England, the source from which the new tenantry proceeded, was large, and their spread rapid. In Germany, the source is smaller, and the creation of such a tenantry must be the work of a much longer period. But the change has been slow in both countries. Cultivation by the labor of the manorial tenants was very long before it finally disappeared

from England : the legal obligation to perform such labor has glided out of sight almost within memory. So too in those parts of Germany in which the progress of the relations between the proprietors and the tenantry is left to take its own course, it seems highly probable that a very long period will yet elapse before labor rents wholly disappear. Spontaneous changes in the habits of nations usually take place slowly, and occupy ages in their progress.

Gradual alterations in the mode of holding and cultivating land, occupied by a peasant tenantry, are not confined to the countries in which labor rents prevail : metayers have, in some districts, given place to capitalist tenants, and in others are to be found in a state of transition ; owning part of the capital, paying sometimes a fixed quantity of produce, sometimes a money rent, and preparing, evidently, to take upon themselves all the burthens and hazards of cultivation.

The two divisions of rents which we have just noticed, comprise, jointly, but a small portion of the earth. In them, as we have seen, a movement in advance of the cultivators themselves has taken place, which has proceeded from the insensible improvement of their condition, and has ended in one, and is likely to end in the other, in an alteration in the form of rents. But in that greater portion of the earth which remains to be noticed, there has been no spontaneous movement in advance, and there is no tendency to insensible change to be perceived. Yet in a small division of that larger portion very rapid alterations are in progress, in a different manner, and from a different cause. And this constitutes a *third* division of peasant

rents, when classed with reference to their tendencies to change.

In the eastern part of Europe, the people have never reached the means, or even the wish, of elevating their condition: the mode of cultivation and the relations between the proprietors and their tenantry, might, apparently, as far as the exertions of the cultivators themselves are concerned, have continued unchanged while the earth lasts.

But, in these countries, the intellect and knowledge of the higher classes are far in advance of the apathy, and stationary ignorance, of the lower. The landed proprietors have been able to contrast the condition of their country and their property, with the state of more improved nations, and have become animated by a zealous desire of altering the condition of the peasantry, and the mode of conducting agriculture. This common spirit has produced, and is daily producing, a variety of changes; differing in detail with the actual circumstances of different districts, but having two common objects; namely, the elevation of the character and circumstances of the present peasant cultivators, and the improvement of agriculture on the domains held by the proprietors.

We have already seen, that the ultimate results of these various changes are yet problematical; that whatever they may be, a long period of time will probably elapse, before they are fully developed.

Abstracting, however, altogether from the three districts we have been considering, namely, that in which peasant rents have been actually superseded, that from which they

are slowly disappearing, and that from which an attempt is making forcibly to expel them ; there still remains a large *fourth* district : a vast unbroken mass, which no movement from within, and no influence from without, have yet brought to give signs of approaching change.

As the attention is naturally more caught by what is stirring and in motion, than by things of greater magnitude and importance which are inert and stationary, the countries in which alterations in the mode of conducting agriculture are in progress, attract observation much more readily than those which really present a more curious and interesting phenomenon ; those in which the forms of occupying the soil first adopted, and the systems and relations of society founded on them, still prevail ; in which the face of society has undergone for centuries as little alteration as the face of nature, and men seem as unchangeable as the regions they inhabit. The Ryots throughout Asia, and the peasants in a very considerable portion of Europe, are precisely what they have ever been. In spite of the fluctuations natural to all human institutions, and of the obvious disadvantages of their systems of cultivation, still they endure, and are likely to endure, unless some general movement takes place on the part of the higher classes, dragging the lower from their apathy and poverty ; or some insensible improvement of their condition, enables the lower classes themselves to begin a forward progress.

Efforts of the higher classes, to introduce forcibly improvements into the condition of the lower, are little likely ever to become general and systematic, over any great proportion of the earth's surface. To suppose a general

diffusion of political knowledge and philosophy, dispelling everywhere the sluggish dreams of selfishness, may be a pleasing reverie, but can hardly afford any ground for rational anticipation. The proprietors of the serfs of Eastern Europe have made, it is true, vigorous efforts, but they were stimulated by the intolerable burthens and embarrassments which the old system brought upon themselves, and nothing short of such a stimulus would make such efforts general. The Italian or Spanish nobles shew no symptoms of being roused to take the lead in altering the terms on which their estates are used: even the French noblesse, before the revolution, were quite passive under the evils and losses which the condition of their metayer tenantry made common. The native princes of Asia are little likely to be reformers in the agricultural economy of their country. We see how little the Anglo-Indian government has effected in this respect.

But if the higher classes are little likely to display general activity as reformers, then, as the foundation of future improvements in the circumstances of the cultivators of a large part of the world, there remain only such alterations for the better, as may insensibly take place in the condition of the lower classes: such benefits as they may win for themselves, amidst the silent lapse of time and every day events.

If this is seen, it must be perceived at once, that the actual state of penury and misery, which makes the cultivators helpless, and keeps them destitute, is the great obstacle to the commencement of national improvement; the heavy weight which keeps stationary the wealth and number and civilization of a very large part of the earth.

I believe this, indeed, to be only one case of a general truth, with which, in our future progress, we shall become more familiar, that the degradation and abject poverty of the lower classes, can never be found in combination with national wealth and political strength. But when the lower classes exist in the character of peasant cultivators, this is more strikingly true than elsewhere. In poor countries, of which the non-agricultural population bears a very small proportion to the husbandmen, it is usually in vain to expect, that the additional capital and skill necessary to effect great national improvements in cultivation, can be generated any where but on the land itself, and among its actual occupiers. If once, therefore, the peasantry are so far reduced in their circumstances and character, as to have neither the means, nor, after a time, the wish or hope, to acquire property and improve their condition; the state of agricultural production, and the relative numbers of the non-agricultural and other classes must be nearly stationary; and, under such circumstances, all plans for the advancement of agriculture, and improvement of the condition of the peasants, which are not founded on the principle that the means of the cultivator are to be, *in the first place*, enlarged, prove, almost necessarily, abortive. Laws which confer upon him political rights and security, are in themselves a mere dead letter, while poverty weighs him down, and keeps him fast in his position. The French metayers had long ceased to be subject to the arbitrary power of the proprietors: their persons and properties were, with some exceptions, as secure as those of any class in France; yet their condition, and the character of their cultivation were,

at best, stationary, and, in some districts, certainly declining. It was the one great object of the French economists, to substitute for this class of cultivators, capitalists paying money rents, and the fault of their plans, for accomplishing their purpose, was this, that instead of recommending measures for the general transformation of the metayers themselves into capitalists, they founded all their hopes of effecting the change they thought so all important, on the removal of the metayers, and the gradual spread of capitalists, from the districts in which they had already established themselves. This was a process, which could only have gone on at all under a very favourable state of the markets for agricultural produce, and which, it will be clear, must have taken ages to complete, if we consider the small part of France occupied by capitalists, and the very large proportion of her surface tilled by metayers. The transformation of the metayers themselves was less difficult, but it was opposed by the moral obstacle we are speaking of, which forms the real impediment to the progress of improvement, under all the forms of peasant rent. It required a distinct sacrifice of immediate income, on the part of the proprietors or the government. The metayers were oppressed by taxes, more than by rent: the share of the landlord in the produce had never been increased; but the exactions of government from the tenant's portion, had reduced him to the state of misery which Turgot describes. To enable the cultivators then to amend their circumstances, to accumulate, and ultimately to change their form of holding, it was necessary to begin by lightening the actual pressure on them: to effect this, either the government must have remitted part of its

taxes, or the proprietors have consented to pay part of them, and to relinquish thus a part of their own revenue. On the side of the state, public necessity, partly real, and partly assumed by ministers who did not foresee to what point they were driving the population; on the part of the proprietors, what Turgot is pleased to call the illusions of self interest ill understood, prevented such a remission of the burthens of the peasantry as might have enabled them to make a start in advance: they continued therefore poor, inefficient, stationary; and the agricultural resources of the state were stunted and stopt in their growth with the peasantry. In spite of the miseries of that revolution, through which the freedom of the cultivators from their ancient oppressions has been earned, the revenues of the body of agriculturists have so increased, that France consumes more than three times the quantity of manufactured commodities she did before the revolution, and her non-agricultural population has doubled. These facts tell at once how much she lost in strength and wealth, by the feebleness of the agricultural efforts of the peasantry under the old regime. But convulsions like that which in France destroyed the relations between landlord and tenant, and converted a large portion of the metayers into small proprietors, are not to be counted on in the ordinary course of human affairs; and when once either the exactions of landlords, or of the state, or indeed any other circumstances, have reduced a peasant tenantry to penury, the same difficulty constantly opposes itself to the commencement of improvement. No one is willing to make, no one ordinarily thinks of making, a direct sacrifice of revenue, for the purpose of augmenting their actual

means ; and nothing short of that will enable them to start. In India, the Anglo-Indian government have been creditably ready to give more security and more civil rights to their Indian subjects than they before enjoyed ; but when it became a question of direct sacrifice of revenue, notwithstanding the clearest conviction in their own minds, that the population would be increased, cultivation improved, and the wealth and resources of their territories rapidly multiplied, still the exigencies of the government would not permit them to remit the actual rents to the amount of 25 per cent., or 15 per cent., even to ensure all these confessed ulterior advantages ; and therefore they concluded that the state of cultivation, and the poverty of the tenantry must continue as they were.¹

From the same causes, the posterity of the emancipated serfs of eastern Europe are shut out from the possibility of forming a body of capitalist tenants, fitted to take charge of the cultivation of the domains of the proprietors. Personal freedom, hereditary possession of their allotments, rights and privileges in abundance, the landlords and sovereigns are willing to grant ; and it would be extravagant to say these grants are worth nothing : but that which is necessary to enable the peasants to profit by their new position, that is, an *immediate* relaxation of the pressure upon them, an increase of their revenue, proceeding from a direct sacrifice of income on the part of either the crown or the landlord, is something much more difficult to be accomplished. In Prussia, the rent charge fixed upon the serf, now constituted a proprietor, forms, as we have seen,

¹ See Buchanan's edition of Smith, Appendix, p. 86.

one of the heaviest rents known in Europe. And among the various schemes for improving the condition of the peasantry, afloat in the east of Europe, I know but of one, that of the Livonian nobility, in which a direct sacrifice of revenue on the part of the landlords is contemplated as the basis of the expected amelioration.¹

It is unquestionably the actual penury of the peasants, and the little which has been done to enable them to take the first steps to emerge from it, which have, in a great measure, frustrated all the hopes of augmented wealth and improved civilization, which have been entertained by the benevolent reformers of the north. It is this too, which has been the cause of the apathy with which the peasant has received the gift of political rights, and which has made the various boons bestowed upon him almost nominal.

Abstracting then from the efforts of landlords or governments, and looking at the whole extent of that part of the globe which is at present languishing under the inefficient efforts of a depressed peasant tenantry, it appears that when once their circumstances have become reduced and their poverty extreme, nothing but a relaxation of the terms of their contract with the landlord, or a diminution of the burthens imposed by the state, can give them an opportunity of making that first movement in advance which must be the initiative of their new career. The difficulty of procuring such a relaxation, arising often from the necessities or the blindness, more rarely from the

¹ In that instance, the tenant who before owed half his labor to the landlord, is protected against the demand of more than two days in the week, or one-third.

pure selfishness, of the landlords or sovereigns, is the real cause of the stagnation and inefficiency of the art of agriculture, and of the duration of the present forms of holding over a great part of the world. In the hands of a peasantry thoroughly depressed, cultivation may spread, but its powers will not increase; the people may multiply, but the relative numbers of the non-agricultural classes will not become much greater; and abstracting from the increase of gross numbers, the wealth and strength of the population, and the elements of political institutions, undergo no alteration.

Such then, is the miserable cause which has maintained the rude forms of primitive holding so long and so extensively unchanged, and which seems unhappily to promise them a long period of future dominion, over too many wide districts of the earth.

We may observe on some small spots, of which England is one, the effects of a different system. Agriculture is further advanced towards perfection, and hence arises a capacity of supporting much more numerous non-agricultural classes, which afford abundant and excellent materials for a balanced form of government; hence too, intellect, knowledge, leisure, and all the indications and elements of high civilization multiplied and concentrated. Were the whole of the earth's surface cultivated with like efficiency, how different would be the aggregate of the commercial means, political institutions, the intellect and civilization of the inhabitants of our planet!

The advancing wealth of a body of peasantry does not, however, always lead either to the permanent improvement of their own condition, or to an alteration in the constitu-

ent elements of society, or in the degree of its civilization. A rapid increase of the numbers of the cultivators, and after a time a peasantry equally poor as at first, and more numerous, are sometimes the result of an augmentation of the revenues of a peasant tenantry. More than one favorable circumstance must concur, to make the commencement of their prosperity a basis for a general advance of the nation, and for the progressive augmentation of the various elements of its strength and civilization. What those circumstances are, we shall have hereafter to observe, when examining the causes, which at different stages, and in different positions of society, promote or retard improved habits in the body of the people. At present it is enough if we see, that the long endurance and stationary state of peasant tenures over a great part of the world, are mainly attributable to the state of poverty in which the cultivators have so long found themselves:—a state of poverty, which while it lasts, effectually prevents any movements in advance from originating with the peasants themselves, and which can only be relieved by such sacrifices on the part of other classes, as they are rarely able and willing to make.

While we have been reviewing the different classes of peasant rents, those facts have been studiously dwelt upon and reproduced, which shew that improvement in the efficiency of agriculture, followed by an increase of the territorial produce of a country, and consequently of its general wealth and strength, is the foundation on which a permanent and progressive increase in the revenues of the landed proprietors can best sustain itself.

Strange opinions as to a necessary opposition between

the interests of the proprietors of the soil, and those of the rest of the community and of the state, have lately been current. The fallacy of these it was thought would be more easily and more distinctly exposed by a simple exposition of facts, as they exist in the world around us, than by following those who have promulgated such opinions, into a labyrinth of abstract argument. The dogmas alluded to are sufficiently familiar to all readers of later writers on Political Economy. Their substance and their spirit may be collected from the following passages. "The capacity of a country to support and employ laborers, is in no degree dependent on advantageousness of situation, richness of soil, or extent of territory."¹ "It appears, therefore, that in the earliest stages of society, and where only the best lands are cultivated, *no rent is ever paid*. The landlords, as such, do not begin to share in the produce of the soil until it becomes necessary to cultivate lands of an inferior degree of fertility, or to apply capital to the superior lands with a diminishing return. Whenever this is the case, rent *begins* to be paid ; and it continues to increase according as cultivation is extended over poorer soils ; and diminishes according as those poorer soils are thrown out of cultivation."² "An increase of rent is not, therefore, as is very generally supposed, occasioned by improvements in agriculture, or by an increase in the fertility of the soil. It results *entirely* from the necessity of resorting, as population increases, to soils of a decreasing degree of fertility. Rent varies in an inverse proportion to the amount of

¹ Macculloch's *Principles of Political Economy*, p. 327.

² *Ibid.* p. 282.

“produce obtained by means of the capital and labor employed in cultivation, that is, it increases when the profits of agricultural labor diminish, and diminishes when they increase.”¹ “The rise of rent is *always* the effect of the increasing wealth of the country, and of the *difficulty* of providing for its augmented population. It is a symptom, but it is never a cause of wealth.”² “*Nothing* can raise rent, but a demand for new land of an inferior quality, or some cause, which shall occasion an alteration in the relative fertility of the land already under cultivation.”³ “The interest of the landlord is *always* opposed to that of the consumer and manufacturer.”⁴ “The dealings between the landlord and the public are not like dealings in trade, whereby both the seller and the buyer may equally be said to gain, but the loss is wholly on one side, and the gain wholly on the other.”⁵ “Rent then is a creation of value, but not a creation of wealth; it adds nothing to the resources of a country, it does not enable it to maintain fleets and armies; for the country would have a greater disposeable fund if its lands were of a better quality, and it could employ the same capital without generating a rent. It must then be admitted, that Mr. Sismondi and Mr. Buchanan, for both their opinions were substantially the same, were correct, when they considered rent as a value purely nominal, and as forming no addition to the national wealth, but merely as a transfer

¹ Macculloch's *Principles of Political Economy*, p. 269.

² Ricardo's *Political Economy*, 2nd Edit. p. 62.

³ *Ibid.* p. 518.

⁴ *Ibid.* p. 423.

⁵ *Ibid.* p. 424.

“of value, advantageous only to the landlords, and proportionally injurious to the consumer.”¹

The utter fallacy of these opinions, when applied to any class of peasant rents, has been shewn separately for each class in the course of the remarks which have already been made: viz. for labor rents, at p. 52, for metayers, at p. 92, for ryots, at p. 125, and for cottier rents at p. 139.

But let us for a moment picture to ourselves the effects of an address, by a philosopher of this school, to an assembly composed of sovereign proprietors of territories occupied by ryots, and of the landholders of countries cultivated by serfs, metayers, or cottiers. He would assure them, from Mr. Macculloch, that the extent and richness of the tracts of country they might own, affected in *no degree* their power of supporting and employing an industrious population: that in the earliest stages of society (being those with which they are the most familiar) no rents are ever paid: that they only begin to be paid when it becomes necessary to cultivate lands of an inferior degree of fertility. He would further inform the landholders, that no improvements of their income could ever by possibility originate in improvements in agriculture, or in an increased fertility of the soil. He would tell them too, that every augmentation of their rental must result *entirely* from the necessity of resorting, as population increased, to soils of a decreasing degree of fertility. That the decrepitude of agriculture, and the prosperity of the owners of the land, advanced always hand in hand; that their revenues must vary always in an inverse proportion to the

¹ Ricardo's *Political Economy*, 2nd Edit. p. 501.

amount of produce obtained by means of the capital and labor employed in cultivation, and that their rents, therefore, would increase as the profits of agricultural labor diminished, and would diminish as the profits of agricultural labor increased.

The teacher might next take Mr. Ricardo's for his text-book, and after enforcing his dogmas from this parent source, he might proceed farther with his revelations, and expound to his audience, that their interests as landlords were always opposed to those of the non-agricultural classes of the community, that the increase of their share of the produce of the soil was a creation of value but not a creation of wealth; that such an increase added nothing to the general stock of riches, nothing to the common resources of the state, nothing to its ability to maintain its public establishments.

We may imagine surely the amazement of the listening circle of landholders of various descriptions. They would know that they were surrounded, as their forefathers had been, by a peasant population yielding a part of their produce or their labor, as a tribute for the use of the ground from which they raised their food, and to which they must cling or die. The lords of the soil would feel therefore, that their revenue, as landed proprietors, owed neither its origin nor its continuance to the existence of gradations in the qualities of land. They would know that, as far as their experience had gone, with improvements in agriculture, and with the increase of the fertility of the soil, the amount of produce which formed their annual rents had steadily increased, and they would have found that they became wealthier as

the labor of their peasant tenantry produced more from the earth, and that they became poorer as it produced less. It would be impossible for them to doubt, that their power of giving employment and support to a population of laboring cultivators, depended mainly on the quantity and quality of the land at their disposal. They could not shut their eyes to the physical fact, that increasing produce converted into increased rents, constituted a fresh creation of material riches. They could only feel bewildered, when they were told, that in the case of such an increase, though there might be a creation of value, there could not be a creation of wealth. They must be aware that the distribution of their revenue was the direct source of the maintenance of the greater part of the non-agricultural classes of the population amidst which they lived; they could not hear, without astonishment, that the increase of their revenue was a misfortune to those classes. Finally, observing that in ryot monarchies the fleets and armies of the state were wholly maintained from the rents of the sovereign proprietor, and that in serf and metayer countries, rents always contributed more or less to similar purposes; they would listen with amazement to the doctrine, that the increase of the territorial revenues of a state, added in no case any thing to its public strength, or to its ability to maintain its military establishments.

It is difficult to imagine, that among a circle full of such recollections our lecturer would make converts. His audience would be apt to believe, that the philosopher they were listening to must have fallen from some other planet: that the scene of his experience must have differed widely

from the scenes of theirs, and that it was quite impossible, the various propositions he was endeavouring to impress upon them, could have been derived from a review of the facts with which they were daily familiar.

In truth, it is not easy to read any of the productions of this school of writers, without seeing, that their system as to rent, is derived exclusively from an examination of the class of farmers' rents. And this class (however interesting to us as Englishmen) has already been stated not to extend itself over one-hundredth part of the cultivated surface of the earth.

APPENDIX.

I. PAGE 4.

Narrative of a Visit to Brazil, Chili, Peru, and the Sandwich Islands, during the Years 1821 and 1822, by Charles Farquhar Mathison, Esq. p. 449. — The King then is a complete autocrat — all power, all property, all persons are at his disposal: the chiefs receive grants of land from him, which they divide and let out again in lots to their dependants, who cultivate it for the use of the chief, reserving a portion for their own subsistence. The cultivators are not paid for their labour, nor, on the other hand, do they pay a regular rent for the land. They are expected to send presents of pigs, poultry, tarrow, and other provisions, to the chief, from time to time, together with any little sums of money which they may have acquired in trade, or any other property which it may suit the fancy or the convenience of the great man to take. This arbitrary system is a sad hindrance to the prosperity of the tenant; for if he is disposed to be industrious, and bring his land into good cultivation, or raise a good breed of live stock, and becomes rich in possessions, the chief is soon informed of it, and the property is seized for his use, whilst the farmer loses the fruit of all his labours. This state of things, as between the King and his chiefs, is little more than theoretical; but as between the chiefs and their dependants, it exists mischievously in practice: hence the great stimulus to industry being

removed, the people live and vegetate, without making any exertions beyond what the command of the chief and the care of their own subsistence force upon them. One day in a week, or a fortnight, as occasion may require, the tenants are required to work upon the private estate of the chief. I have seen hundreds — men, women, and children, at once employed in this way on the tarrow-plantations : all hands turn out, for they assist each other in a body, and thus get through the work with greater expedition and ease. When a kanaka, or tenant, refuses to obey the order of his chief, the most severe and summary punishment is inflicted on him, namely, confiscation of his property. An instance in point happened to occur while I was staying at Whyaronah. Coxe had given orders to some hundreds of his people to repair to the woods by an appointed day to cut sandal-wood. The whole obeyed except one man who had the folly and hardihood to refuse. Upon this, his house was set fire to, and burnt to the ground on the very day: still he refused to go. The next process was to seize his possessions, and turn his wife and family off the estate ; which would inevitably have been done, if he had not allowed discretion to take the place of valour, and made a timely submission, to prevent this extremity. It has been before said, that no compensation is made to the labourers for their work, except a small grant of land. This, however, does not prevent the chief, if kindly disposed, from distributing supplies of maros, tappers, cloth, &c. gratuitously among them. I have heard that Krimakoo once distributed no less than three thousand blankets among his people. The King exercises absolute dominion over the sea as well as over the land; and in the same way lets out the right of fishery along the coast to his chiefs.

Ibid. p. 382. — At six o'clock we reached a small village about a mile from the sea-shore, and easily obtained a tolerable hut to

pass the night in: it belonged to an English sailor, who had established himself here. . . .

Ibid. p. 383. — The English sailor informed me that all the land in his neighbourhood belonged to Krimakoo, the King's Minister, familiarly called Billy Pitt, who had given him sixty acres. On part of this he made a tarrow-plantation, which afforded the means of living; but the rest, he said, was useless. He seemed wretchedly poor; wore an old shirt and trowsers, more ragged and dirty than can be well conceived, and was so disfigured by a thick black beard of several weeks growth, that he was really far more savage looking than any of the islanders.

Without placing much dependence upon the statement of this poor fellow, I was still interested by what he told me, and pitied the abject condition of dependence upon savages, to which he was now reduced. Among other causes of complaint, he inveighed bitterly and with truth against the tyranny of the chiefs, who claim a right to possess all private property which is acquired upon their estates, and seize everything belonging to the poorer classes for which they feel an inclination. He said that whenever an industrious person brought more land into cultivation than was necessary for his subsistence, or reared a good breed of pigs and poultry, the chief, on hearing of it, had no hesitation in making the property his own. This takes place, independent of the customary presents and tribute; even every dollar obtained by traffic with strangers must be given up, on pain of the chief's displeasure. Europeans are subject to the same oppression: and from this general insecurity of private property, arises in a great degree the absence of much industry or improvement, both among them and the native peasantry.

Ibid. p. 412. — I went to visit an American sailor, who had been established upwards of five years in this island, and cultivated a

small farm belonging to that chief. His property consisted of a few acres of tarrow-plantations, in the midst of a fine orchard of bread-fruit and other trees, with pasturage for a large herd of goats; and these, in addition to some pigs and poultry, rendered him rich in the eyes of all his neighbours. His cottage was well built, and being furnished with matting, we passed the night very comfortably in it. He liked his situation altogether, and thought it very preferable to a seaman's life; but complained, nevertheless, of the insecure tenure by which property is held in this country. He told me, as others had done, that he was afraid of making any improvements, and putting more land into cultivation, lest his prosperity should excite the cupidity of the chief, who would not hesitate, if he chose it, to appropriate the whole to himself. As it was, he had to bear every sort of petty exaction, according to the caprices of the chief, on the instigations of his advisers, and only retained possession of his property by acceding to every demand, and propitiating with continual presents, the favour of the great man.

Ibid. p. 427. — Menini was supposed to be worth thirty or forty thousand dollars, amassed during a residence of thirty years in the country: but he held his property by rather a feeble tenure, namely, the King's good will and pleasure; and might at any moment be deprived of it, without the possibility of obtaining redress.

II. PAGE 18.

Travels from Vienna through Lower Hungary, by Richard Bright, M.D. p. 114. — But, if the landlord have reason to be little satisfied, still less can the peasant be supposed to rejoice in his situation. It can never be well, to make the great and actually necessary part of society, — the labouring class, — dependant on the chances of a good or bad harvest for its existence.

A man of capital can bear, for a year or two years, the failure of his crops; but, let a cold east wind blow for one night, — let a hail storm descend, — or let a river overflow its banks, — and the peasant, who has nothing but his field, starves or becomes a burthen to his Lord. Of this I have seen actual proof, not only in the wine districts of Hungary, in which the uncertainty of the crop is extreme, but in some of its richest plains, where I have known the peasantry, full three months before gathering in, humbly supplicating the landlords to advance them corn on the faith of the coming harvest. These are evils always liable to occur, supposing the peasant were allowed to cultivate his lands without interruption. But is this the case? The Lord can legally claim only one hundred and four days' labour from each in the year; yet who can restrain him if he demand more? There are a multiplicity of pretexts under which he can make such demands, and be supported in them. The administration of justice is, in a great degree, vested in his own hands. There are many little faults for which a peasant becomes liable to be punished with blows and fines, but which he is often permitted to commute for labour. In fact, these things happen so frequently, and other extorted days of labour which the peasant fears to refuse, occur so often, that I remember, when in conversation with a very intelligent Director, I was estimating the labour of each peasant at 104 days, — he immediately corrected me, and said I might double it. If, however, the Lord, or his head servants, have too much feeling of propriety to transgress against the strictness of the law, they can at any time call upon the peasants to serve them for pay; and that, not at the usual wages of a servant, but about one-third as much, according to an assessed rate of labour. Add to all this, the services due to the government, — remember, too, that cases occur in which a peasant is obliged to be six weeks from his home, with his horses and cart, carrying imperial stores to the frontier, — and then judge whether he is permitted to cul-

tivate, without interruption, the land which he receives, as the only return for his labour.

III. PAGE 28.

Burnet's *View of the Present State of Poland*, p. 85.—When a young peasant marries, his lord assigns him a certain quantity of land, sufficient for the maintenance of himself and family in the poor manner in which they are accustomed to live. Should the family be numerous, some little addition is made to the grant. At the same time, the young couple obtain also a few cattle, as a cow or two, with steers to plough their land. These are fed in the stubble, or in the open places of the woods, as the season admits. The master also provides them with a cottage, with implements of husbandry, in short, with all their little movable property. In consideration of these grants, the peasant is obliged to make a return to the landholder of one-half of his labour; that is, he works three days in the week for his lord, and three for himself. If any of his cattle die, they are replaced by the master; a circumstance which renders him negligent of his little herd, as the death or loss of some of them is a frequent occurrence. When a farmer rents a farm, the villages situated on it, with their inhabitants, are considered as included in the contract; and the farmer derives a right to the same proportion of the labour of the peasants for the cultivation of that farm, as by the condition of their tenure they are bound to yield the lord. If an estate be sold, the peasants are likewise transferred, of course, with the soil, to a new master, subject to the same conditions as before. The Polish boors, therefore, are still slaves; and relatively to their political existence, absolutely subject to the will of their lords, as in all the barbarism of the feudal times. They are not privileged to quit the soil, except in a few instances of complete enfranchisement; and if they were,

the privilege, for the most part, would be merely nominal: for whither should they go? They may retire, indeed, into the recesses of the forest, where it is possible they may not be traced and it is probable, that in times past many resorted to this expedient to escape from the cruelties of a tyrannical master. To fly from a mild master would be obviously against their interest. To quit the territory of one grandee for that of another, must commonly, if not always, have been impracticable; for what landholder would choose to admit a fugitive peasant, and thus encourage a spirit of revolt? Again, it is not in their power, from the circumstances of their condition, to sell their labour indifferently to this or that master; and if such obstacles did not oppose, the very extent of the Polish farms, and the consequent want of a second contiguous employer, would suffice in most cases to preclude a change of masters.

It is said that a few of the peasants improve the little stock which is committed to their management, accumulating some small property; but their conduct is far more frequently marked by carelessness and a want of forecast. Instances, however, of this accumulation, begin to multiply: for one effect of the partition has been, that the peasants are less liable to be plundered. Generally speaking, it does not appear that this allowance of land and cattle either is, or designed to be, more than enough for their scanty maintenance. I was once on a short journey with a nobleman, when we stopped to bait at the farm-house of a village, which I have before mentioned as a common custom in Poland. The peasants got intelligence of the presence of their lord, and assembled in a body of twenty or thirty, to prefer a petition to him. I was never more struck with the appearance of these poor wretches, and the contrast of their condition with that of their master. I stood at a distance, and perceived that he did not yield to their supplication. When he had dismissed them, I had the curiosity to enquire the object of their

petition; and he replied, that they had begged for an increased allowance of land, on the plea that what they had was insufficient for their support. He added, "I did not grant it them, because their present allotment is the usual quantity; and as it has sufficed hitherto, so it will for the time to come. Besides, (said he,) if I give them more, I well know that it will not, in reality, better their circumstances."

Poland does not furnish a man of more humanity than the one who rejected this apparently reasonable petition; but it must be allowed that he had good reasons for what he did. Those degraded and wretched beings, instead of hoarding the small surplus of their absolute necessities, are almost universally accustomed to expend it in that abominable spirit, which they call *schnaps*. It is incredible what quantities of this pernicious liquor are drunk, both by the peasant men and women. I have been told, that a woman will frequently drink a pint, and even more, at a sitting, and that too in no great length of time. I have myself often seen one of these poor women led home between two men, so intoxicated as to be unable to stand. There can be no question, that the excessive use of this *whiskey* (were it not to libel whiskey thus to style it) ought to be enumerated among the chief proximate causes of the deficient population of Poland. It is indeed so considered by the Poles; and the Count Zamoyski has lately established a porter brewery in Galitzia, in the hope of checking eventually so hurtful a habit, by the substitution of that wholesome beverage.

The first time I saw any of these withered creatures, was at Dantzic. I was prepared, by printed accounts, to expect a sight of singular wretchedness; but I shrunk involuntarily from the contemplation of the reality; and my feelings could not be consoled by the instantaneous and inevitable reflection, that I was then in a region which contains millions of miserable beings of the description of those before me. Some involuntary exclama-

tion of surprise mixed with compassion escaped me. A thoughtless and a feelingless person (which are about the same things) was standing by. "Oh sir! (says he) you will find plenty of such people as these in Poland; and you may strike them and kick them, or do what you please with them, and they will never resist you; they dare not." Thus, this gentleman, by the manner in which he spoke, seemed to think it a sort of privilege, that they had among them a set of beings on whom they may vent with impunity the éxuberance of their spite, and gratify every fitful burst of capricious passion. Far be it from me, to ascribe the feelings of this man to the more cultivated and humanized Poles; but such incidental and thoughtless expressions betray but too sensibly the general state of feeling which exists in regard to these oppressed men.

Some few of the boors are found about every large mansion. They are employed by the domestics in the most dirty menial offices. These have never any beds (however mean) provided them; so that in the summer-nights, they sleep like dogs, in any hole or corner they can find, always without undressing. But the winter's cold drives them into the hall, where they commonly crouch close to the stoves which are stationed there. Here, too, several of the domestics spread their pallets, and take up their night's abode. Frequently, as I have retired to my room after supper, I have stumbled over a boor sleeping at the foot of the stairs—a curious and a melancholy spectacle! to see these poor creatures, in all their unmitigated wretchedness, lodging in the halls of palaces!

In giving orders or directions of any sort to these torpid beings, though the sentiment of the speaker be not disgraced by the slightest admixture of unkind feeling, it is customary to address them in a certain smart and striking manner; as if to stimulate their stupid senses into sufficient action to prompt the performance of the most ordinary offices. There is no circumstance

more deplorable in slavery than that dead-palsy of the faculties, which bereaves its possessor even of the comfort of hope; or capacitates him only to hope that he may live without torment, and mope out his existence in joyless apathy! If to a contiguous person you give utterance to any compassionating remark, you are commonly answered with the most indifferent air imaginable, "It is very true; but they are used to it;" something in the same way, I have thought, as eels are used to skinning alive.

Ibid. p. 84. — Their diet is very scanty; they have rarely any animal food. Even at the inns, in the interior of Poland, which are not situated in a pretty good town, scarcely anything is to be procured. Their best things are their milk and poor cheese, were they in sufficient abundance; but the principal article of their diet is their coarse rye-bread above mentioned, and which I have sometimes attempted in vain to swallow.

Ibid. p. 102. — Till the reign of Casimir the Great, about the middle of the fourteenth century, the Polish nobles exercised over their peasants the uncontroled power of life and death. No magistrate, not even the King himself, had authority to punish or restrain barbarities which outraged humanity. If an act of brutal cruelty were committed by one grandee on the slave of another, he was then liable to be called to an account by the possessor, as the violator of his property, not as the perpetrator of crime. This barbarous power in the nobles over the condition and lives of the boors, even Casimir was forced to recognize in the year 1366. Yet Casimir had a soul which felt for their hard lot, and he earnestly endeavoured to mitigate its severity. The peasants, finding him their friend, would often go to him with complaints of the injuries they received. "What! (says he with indignation on these occasions) have you neither stones nor bludgeons with which to defend yourselves?"

Casimir was the first who ventured to prescribe a fine for the murder of a peasant. And, as it had been the custom, on the death of a peasant, for the master to seize his trifling effects, he also enacted, that on his decease his next heir should inherit; and that if his master should plunder him, or dishonour his wife or daughter, he should be permitted to remove whithersoever he pleased. He even decreed, that a peasant should be privileged to bear arms as a soldier, and be considered as a freeman.

These humane regulations, however, were ill observed in the sequel; for of what avail are laws, if authority be wanting to enforce obedience? There is an ancient Polish maxim, "That no slave can carry on any process against his master;" and hence the law regarding the inheritance of property was rendered nugatory. Nor could the fine for murder be often levied, by reason of the accumulation of evidence required for the conviction of a noble. Yet these were the only attempts to better the condition of the boors, till the year 1768, when a decree passed by which the murder of a peasant was rendered a capital crime. But even this enactment was a mere mockery of justice: for to prove the fact of murder, a concurrence of circumstances was made necessary, which could rarely have been found to co-exist. The murderer was not only to be taken in the fact! but that fact was required to be proved by the testimony of two gentlemen, or four peasants! These insignificant edicts, rendered inefficient by the power of custom, were not the only obstacles to the elevation of the peasantry to the rank of men. There existed, in the Polish laws, numerous and positive ordinances, as though expressly designed to perpetuate slavery. Among these, the most oppressive seems to have been that which empowered the nobles to erect summary tribunals, subject to no appeals, by which they inflicted whatever penalties they thought proper on delinquents, or those whom they chose to consider as delinquents. The penalties for elopement from their villages were peculiarly severe;

which proves at once the grievousness of their oppression, and the existence of frequent attempts to escape.

Ibid. p. 110. — Whoever casts his eye but for a moment on the miserable boors of Poland, will instantly feel, that ages must elapse before they can be raised to the rank of civilized beings. If met in the winter's snow, they appear like herds of savage beasts rather than companies of men; but with the melancholy difference of being totally destitute of that wild activity which characterizes savage nature. Their coarse mantles; their shrunk and squalid forms; their dirty, matted hair; their dull, moping looks, and lifeless movements; all combine to form an image which sickens humanity, and makes the heart recoil even from its own horrid sympathy!

Ibid. p. 105. — Some endeavours have been likewise made by individuals to abolish the slavery of the boors. In the year 1760, the Chancellor Zamoyski enfranchised six villages in the palatinate of Masovia. This experiment has been much vaunted by Mr. Coxe as having been attended with all the good effects desired; and he asserts that the Chancellor had, in consequence, enfranchised the peasants on all his estates. Both of these assertions are false. I enquired particularly of the son, the present Count Zamoyski, respecting those six villages, and was grieved to learn, that the experiment had completely failed. The Count said, that within a few years he had sold the estate, as it was situated in the Prussian division, with which he had now no concern. He added, I was also glad to get rid of it, from the trouble the peasants gave me. These degraded beings, on receiving their freedom, were overjoyed, it seems, at they knew not what. Having no distinct comprehension of what freedom meant, but merely a rude notion that they may now do what they liked, they ran into every species of excess and extravagance

which their circumstances admitted. Drunkenness, instead of being occasional, became almost perpetual; riot and disorder usurped the place of quietness and industry; the necessary labour suspended, the lands were worse cultivated than before; and the small rents required of them they were often unable to pay. Yet what does all this prove? that slavery is better than freedom for a large portion of mankind? horrible inference! But it proves decisively, what has been often proved before, that we may be too precipitate in our plans of reform; and that misguided benevolence may frequently do mischief, while it seeks only to diffuse good.

In all instances of failure relative to the proposed benefit of human beings, the great danger is, lest we should relax in our efforts, and conclude that to be impossible, which, in fact, our deficient wisdom only had prevented us from effecting.

Ibid. p. 109.— The present Count Zamoyski, son of the late Chancellor, in nowise disheartened by his father's miscarriage, continues to meditate extensive plans of improvement relative to his own peasantry. But he is now aware that he must proceed with caution, and not by attempting too much, end in doing nothing. He designs to emancipate the whole of his vassals *gradually*; to give them slight privileges at first, and to encourage them with the hope of more, *on condition* of proper conduct. In short, his principle is to retain the power of reward and punishment completely in his own hands, that he may be able to stimulate to industry by the hope of new favours, and to restrain from misconduct by the threatened forfeiture of those already conceded; till their state, gradually ameliorated, shall render it safe to give them entire freedom, and to leave their conduct to be regulated by the general operation of the laws.

Ibid. p. 121.— The cultivation of the soil in Poland, in the

manner it is there conducted, is attended with little trouble and expense; indeed, far less than it ought to be. We nowhere see more than a ploughman with his plough and a single pair of small bullocks, not bigger than English steers, to produce a fallow. There is scarcely such a thing as manure to be seen, and the produce is proportionally small.

Ibid. p. 124. — The territory of a nobleman, the extent of which I had an opportunity of ascertaining with some exactness, is about five thousand square miles; which produces an income of about 100,000 ducats, or £50,000 sterling: this gives only £50 a year for every twenty square miles.

IV. PAGE 66.

Müller treats the Periœci as tributary communities, as a sort of inferior allies, and denies that their condition ever approached that of individual personal dependence; their condition, he says, “never had *the slightest resemblance* to that of bondage,” (see Tuffnell and Lewis, p. 30). It strikes me, as it seems to have done Gœtting, (see his *Aristotle*, p. 465,) that if this is meant to apply to the Grecian Periœci generally, it is going rather too far. The Periœci appear to have been everywhere natives reduced by foreign invaders to a state of subjection less servile in some districts than in others, but *very like* bondage in many. Aristotle must have seen them in such a state when he intimates that they may very well occupy the place of the *δουλοι*, he prefers as cultivators. See note to page 80 of text. See too Gœtting’s *Aristotle*, p. 473. — “*Urbs quævis autem Cretensium suos habebat Periœcos indigenas quidem sed bello victos, qui agrum ceteris colebant: nec tamen armis iis uti licuit nec gymnasiis. Id ex institutione Minois supererat, ut auctor est Aristoteles.*”

Gœtting on the other hand is of opinion, that this class of

people, neither slaves or freemen, but invested with something of an intermediate character, existed in the Dorian states alone; and he says distinctly that they were not to be found among the Ionians, see *Arist. Pol.* by Gættling, p. 464. "Fundata erat autem hæc dorica constitutio duabus maxime rebus: diverso moderatæ multitudinis jure et magistratum descripta dignitate. "Nam quum civitates Ionicæ originis nonnisi liberos novissent et servos qui civitatem constituerent, apud Dorienses medium quoddam genus inter liberos (Spartanos) et servos (Helotes) reperiebatur, Periæcorum nomine insignitum." Surely this is a mistake, and one which would lead to considerable misapprehension as to the mode in which the early communities of Greece, Ionian as well as Dorian, were originally constituted. Wherever a conquest took place, there a class was established under some name or other, consisting of the conquered natives, and ranking neither as citizens or slaves. Such a class existed as we have seen among the Ionian inhabitants of Attica. The fact seems to be, that although this order in the state may be traced almost everywhere in Greece, still it was in the Dorian states alone that its presence and functions were necessary to support the very peculiar institutions established by the conquerors. Elsewhere it might disappear or be transformed, as in Attica, without the event's affecting the constitution of the state.

V. Page 88.

Travels in France, by Arthur Young, Esq. Vol. II. p. 151.—The predominant feature in the farms of Piedmont is *metayers*, nearly upon the same system which I have described and condemned, in treating of the husbandry of France. The landlord commonly pays the taxes and repairs the buildings, and the tenant provides cattle, implements, and seed; they provide the produce. Wherever this system prevails, it may be taken for

granted that a useless and miserable population is found. The poverty of the farmers is the origin of it; they cannot stock the farms, pay taxes, and rent in money, and, therefore, must divide the produce in order to divide the burthen. There is reason to believe that this was entirely the system in every part of Europe; it is gradually going out everywhere; and in Piedmont is giving way to great farms, whose occupiers pay a money rent. I was for sometime deceived in going from Nice to Turin, and believed that more of the farms were larger than is really the case, which resulted from many small ones being collected into one homestead. That belonging to the Prince of Carignan, at Bilia Bruna, has the appearance of being very considerable; but, on inquiry, I found it in the hands of seven families of metayers. In the mountains, from Nice to Racconis, however, they are small; but many properties, as in the mountains of France and Spain.

The Caval. de Capra, member of the Agrarian Society, assured me, that the union of farms was the ruin of Piedmont, and the effect of luxury; that the metayers were dismissed and driven away, and the fields everywhere depopulated. I demanded how the country came to have the appearance of immense cultivation, and looked rather like a garden than a farm, all the way from Coni? He replied, that I should see things otherwise in passing to Milan: that the rice culture was supported by great farms, and that large tracts of country were reduced to a desert. Are they then uncultivated? No; they are very well cultivated; but the people all gone, or become miserable. We hear the same story in every country that is improving: while the produce is eaten up by a superfluity of idle hands, there is population on the spot; but it is useless population: the improvement banishes these drones to towns, where they become useful in trade and manufactures, and yield a market to that land, to which they were before only a burthen. No country can be really flourishing unless this take place: nor can there be anywhere a flourishing

and wealthy race of farmers, able to give money rents, but by the destruction of metaying. Does any one imagine that England would be more rich and more populous if her farmers were turned into metayers? Ridiculous. The intendant of Bissatti added another argument against great farms; namely, that of their being laid to grass more than small ones; surely this is a leading circumstance in their favour; for grass is the last and greatest improvement of Piedment; and that arrangement of the soil which occasions most to be in grass, is the most beneficial. Their meadows are amongst the finest and most productive in the world. What is their arable? It yields crops of five or six times the seed only. To change such arable to such grass, is, doubtless, the highest degree of improvement. View France and her metayers — View England and her farmers; and then draw your conclusions.

Wherever the country (that I saw) is poor and unwatered, in the Milanese, it is in the hands of metayers. At Mozzata the Count de Castiglioni shewed me the rent book his *intendant* (steward) keeps, and it is a curious explanation of the system which prevails. In some hundred pages I saw very few names without a large balance of debt due to him, and brought from the book of the preceding year: they pay by so many moggii of all the different grains, at the price of the year: so many heads of poultry; so much labour; so much hay; and so much straw, &c. But there is, in most of their accounts, on the debtor's side, a variety of articles, beside those of regular rent: so much corn, of all sorts, borrowed of the landlord, for seed or food, when the poor man has none: the same thing is common in France, wherever metaying takes place. All this proves the extreme poverty, and even misery, of these little farmers; and shews, that their condition is more wretched than that of a day labourer. They are much too numerous; three being calculated to live on one hundred pertichi, and all fully employed by

labouring, and cropping the land incessantly with the spade, for a produce unequal to the payment of anything to the landlord, after feeding themselves and their cattle as they ought to be fed ; hence the universal distress of the country.

Ibid. p. 155. — Estates in Bologna are very generally let to middlemen, who re-let them to the farmers at half produce, by which means the proprietor receives little more than one-half of what he might do on a better system, with a peasantry in a better situation. The whole country is at half produce ; the farmer supplies implements, cattle, and sheep, and half the seed ; the proprietor repairs.

Ibid. pp. 155-56. — Letting lands, at money rent, is but new in Tuscany ; and it is strange to say, that Sig. Paoletti, a very practical writer, declares against it. A farm in Tuscany is called a *podere* : and such a number of them as are placed under the management of a factor, is called *fattoria*. His business is to see that the lands are managed according to the lease, and that the landlord has his fair half. These farms are not often larger than for a pair of oxen, and eight to twelve people in one house ; some 100 pertichi (this measure is to the acre, as about 25 to 38), and two pair of oxen, with twenty people. I was assured that these metayers are (especially near Florence) much at their ease ; that on holydays they are dressed remarkably well, and not without objects of luxury, as silver, gold, and silk ; and live well, on plenty of bread, wine, and legumes. In some instances this may possibly be the case, but the general fact is contrary. It is absurd to think that metayers, upon such a farm as is cultivated by a pair of oxen, can be at their ease ; and a clear proof of their poverty is this, that the landlord, who provides half the live stock, is often obliged to lend the peasant money to enable him to procure his half ; but they hire farms with very

little money, which is the old story of France, &c. ; and indeed poverty and miserable agriculture are the sure attendants upon this way of letting land. The metayers, not in the vicinity of the city, are so poor, that landlords even lend them corn to eat : their food is black bread, made of a mixture with vetches ; and their drink is very little wine, mixed with water, and called *aqua-rolle* ; meat on Sundays only ; their dress very ordinary.

Ibid. p. 157. — In the mountains of Modena there are many peasant proprietors, but not in the plain. A great evil here, as in other parts of Lombardy, is the practice of the great lords, and the possessors of lands in mortmain letting to middle men, who re-let to metayers ; under which tenure are all the lands of the dutchy.

Ibid. p. 158. — Appearances from Reggio to Parma are much inferior to those from Modena to Reggio ; the fences not so neat ; nor the houses so well built, white, or clean. All here metayers ; the proprietor supplies the cattle, half the seed, and pays the taxes ; the peasant provides the utensils. In the whole dutchies of Parma and Piacenza, and indeed almost everywhere else, the farms must be very small ; the practices I have elsewhere noted, of the digging the land for beans, and working it up with a superfluity of labour, evidently shew it : the swarms of people in all the markets announce the same fact ; at Piacenza, I saw men, whose only business was to bring a small bag of apples, about a peck ; one man brought a turkey, and not a fine one. What a waste of time and labour, for a stout fellow to be thus employed.

Travels in Switzerland, by W. Coxe, Vol. III. p. 145. — Another cause of their wretchedness proceeds from the present state of property. Few of the peasants are landholders ; as from the continual oppression under which the people have groaned

for above these two last centuries, the freeholds have gradually fallen into the hands of the nobles and Grisons, the latter of whom are supposed to possess half the estates in the Valteline. The tenants who take farms do not pay their rent in money, but in kind; a strong proof of general poverty. The peasant is at all the costs of cultivation, and delivers near half the produce to the landholder. The remaining portion would ill compensate his labour and expense, if he was not in some measure befriended by the fertility of the soil. The ground seldom lies fallow, and the richest parts of the valley produce two crops. The first crop is wheat, rye, or spelt, half of which is delivered to the proprietor; the second crop is generally millet, buckwheat, maize, or Turkey corn, which is the principal nourishment of the common people: the chief part of this crop belongs to the peasant, and enables him in a plentiful year to support his family with some degree of comfort. The peasants who inhabit the districts which yield wine are the most wretched: for the trouble and charge of rearing the vines, of gathering and pressing the grapes, is very considerable; and they are so very apt to consume the share of liquor allotted to them in intoxication, that, were it not for the grain intermixed with the vines, they and their families would be left almost entirely destitute of subsistence.

Besides the business of agriculture, some of the peasants attend to the cultivation of silk. For this purpose they receive the eggs from the landholder, rear the silk-worms, and are entitled to half the silk. This employment is not unprofitable; for although the rearing of the silk-worms is attended with much trouble, and requires great caution, yet as the occupation is generally entrusted to the women, it does not take the men from their work.

With all the advantages, however, derived from the fertility of the soil, and the variety of its productions, the peasants cannot, without the utmost difficulty, and a constant exertion, maintain

their families; and they are always reduced to the greatest distress, whenever the season is unfavourable to agriculture.

To the causes of penury among the lower classes above enumerated, may be added the natural indolence of the people, and their tendency to superstition, which takes them from their labour. Upon the whole, I have not, in the course of my travels, seen any peasantry, except in Poland, so comfortless as the inferior inhabitants of this valley. They enjoy indeed one great advantage over the Poles, in not being the absolute property of the landholder, and transferable, like cattle. They are therefore at liberty to live where they chuse, to quit their country, and seek a better condition in other regions; a relief to which distress often compels them to have recourse.

Ibid. p. 143. — The cottages of the peasants, which are built of stone, are large, but gloomy, generally without glass windows: I entered several, and was everywhere disgusted with an uniform appearance of dirt and poverty. The peasants are mostly covered with rags, and the children have usually an unhealthy look, which arises from their wretched manner of living. Such a scarcity of provisions has been occasioned by last year's drought, that the poor inhabitants have been reduced to the most extreme necessity. The price of bread was unavoidably raised so high, that in many parts the peasants could not purchase it; and their only food was for some time a kind of paste, made by pounding the hulls and stones of the grapes which had been pressed for wine, and mixing it with a little meal. Famine, added to their oppressed situation, reduced the inhabitants to the lowest condition of human misery, and numbers perished from absolute want.

Gilly's *Narrative and Researches among the Vaudois*, &c. p. 129. — The other cottages we entered were of a very inferior

order, and had but few of those little comforts, with which in England we desire to see the poorest supplied, and it was quite astonishing to compare the very rude and insufficient accommodations of these people, with their civility and information. In their mode of living, or I might almost say, herding together, under a roof, which is barely weather proof, they are far behind our own peasantry, but in mental advancement they are just as far beyond them. Most of them have a few roods of land, which they can call their own property, varying in extent, from about a quarter of an acre and upwards, and they have the means of providing themselves with fuel, from the abundance of wood upon the mountains.

The tenure, upon which land is hired, requires that the occupier should pay to the proprietor half the produce of corn and wine in kind, and half the *value* of the hay. The indifferent corn-land yields about five fold, and the best twelve fold. They seldom suffer the ground to lie fallow, and the most general course is, wheat for two years, and maize the third. The land is well manured from time to time, and the corn is usually sown in August or September, and cut in June. In the vale of San Giovanni, and in a few other productive spots, hay is cut three times in the year.

Ibid. p. 128. — On a crate suspended from the ceiling, we counted fourteen large *black* loaves, *Bread is an unusual luxury among them*, but the owner of this cottage was of a condition something above the generality.

VI.

Note on Ryot Rents.

Col. Tod's services in Rajast'han were most distinguished. His elaborate work is a valuable contribution to the literature of

his country. Had I found that the *facts* collected by such a person really contradicted the opinions I have arrived at (in common, however, with the majority of those who have considered the subject), I should have been most ready to have re-examined those opinions, and perhaps to have abandoned them. But the *conclusions* which Col. Tod has drawn from his facts, seem to me to require considerable modification before they can be reconciled with the past and present condition of the rest of India, or indeed of Rajast'han itself as he depicts it. The Colonel thinks, that the relations between the princes of Rajast'han and their nobles are similar to those which existed between the feudal nobility of Europe and their sovereigns; and that the ryots have an interest in the soil, which he calls a *freehold* interest: and this he magnifies and dwells on, with all the partiality of a man, who feels a good-natured pleasure in exalting the institutions of his favourite Rajpoots.

The question to be discussed is, whether there is anything in *the facts* produced by Col. Tod or others, to contradict the notion adopted in the text, that the soil of India belongs to the sovereign and to the sovereign alone, and that the occupiers have never, *practically*, any other character than that of his tenantry, except in some small districts, which form acknowledged exceptions to a general rule. The mere existence of a feudal nobility, so far from being inconsistent with the proprietary right of the sovereign, strongly confirms it. It is the one essential characteristic of a *feudal* system, that the land should be granted by the sovereign, and on certain conditions. In Europe the right of *resumption* slid out of the hands of the monarchs by imperceptible degrees. In Rajast'han it has never escaped them at all. Only a century and a half ago, so miserably unstable was the claim of subject nobles even to the temporary possession of any particular spot, that they were in the habit of changing their lands every three years. "So late as

the reign of Mana Singram (10 generations ago,) the fiefs of Mewar were actually movable, and little more than a century and a half has passed since this practice ceased. Thus, a Rahtore would shift with family, chattels and *retainers*, from the north into the wilds of Chuppun, while the Suktawut, relieved, would occupy the plains at the foot of the Aravulli, or a Chondawut would exchange his abode on the banks of the Chumbul with a Pramara or Chohan from the Table Mountain, the eastern boundary of Mewar. "Such changes" (Mr. Tod says in a note) "were triennial, and as I have heard the Prince himself say, so interwoven with their customs was this rule, that it caused no dissatisfaction: but of this we may be allowed at least to doubt. It was a perfect check to the imbibing of local attachment; and the prohibition against erecting forts for refuge or defiance, prevented its growth if acquired. It produced the *object intended*, obedience to the Prince, and unity against the restless Mogul." — Tod's *Rajast'han*, p. 164.

Even now their *rights* remain much on the same footing. In Europe, the necessity of admission by the sovereign, the fine paid by the heir, and the renewal of homage and fealty, kept alive the recollection at least, of the *past* rights of the sovereign. In Rajast'han, an *actual resumption* takes place by the Rajah on the death of every chief: and is conducted in such a manner, as very impressively to exhibit the *existing* claims of the monarch, and the entire (*legal*) dependence of all derivative interests on his will. "On the demise of a chief, the prince immediately sends a party, termed the *zubti* (sequestrator), consisting of a civil officer and a few soldiers, who take possession of the state (quere, estate) in the prince's name. The heir sends his prayer to court to be installed in the property, offering the proper relief. This paid, the chief is invited to repair to the presence, when he performs homage, and makes protestations of service and fealty; he receives a fresh grant, and the inauguration

terminates by the prince girding him with a sword, in the old forms of chivalry. It is an imposing ceremony, performed in a full assembly of the court, and one of the few which has never been relinquished. The fine paid, and the brand buckled to his side, a steed, turban, plume, and dress of honour given to the chief, the investiture is complete; the sequestrator returns to court, and the chief to his estate, to receive the vows and congratulations of his vassals."—Tod's *Rajast'han*, p. 158. After these extracts, it can hardly be necessary to state, that the doctrine as to the proprietary rights of the sovereign is not weakened by the condition of the noble Rajpoots. It would be a curious subject, were this the place for it, to trace the peculiar causes which have led the sovereigns of Rajast'han, to delegate, in a great measure, the military defence of their frontiers to chieftains so nearly resembling our feudal barons. Those causes may be partially discerned in the ties of blood which connect the sovereign and chiefs with their tribes—in the mountainous character of their fortresses—in their being constantly liable to hostile incursions—and in their almost perpetual state of defensive war. We should, I think, after fairly examining the causes and results of the Rajpoot system, find much more reason to wonder, that the rights of the sovereign to the soil have not oftener generated such a system, than to conclude from its existence in Rajast'han that there are no such proprietary rights.

I cannot quit the feudal part of the question, without warmly recommending Col. Tod's book to the general reader, and to the student of history, and of man. The system of *modified* dependence on the chief for *military* services, as established in this part of India, has produced a resemblance to the state of Europe at a certain period of the progress of feuds, which is most striking, interesting, and instructive. That resemblance may be traced in the tenures and laws of the Rajpoots—in the mixed political results of these—both good and evil—and in the moral, and we

may almost say poetical characteristics of the population — in the deep and enthusiastic feelings which accompany their notions of fealty — in the emulous courage, the desperate fidelity of the nobles — and in many lofty and romantic traits of manners worthy to have sprung out of the very bosom of chivalry, and extending their influence to the dark beauties of the Zenana, as well as to their warrior kindred. High born dames in distress, still there, as they once did in Europe, send their tokens to selected champions, who whether invested with sovereign power, or occupying a less distinguished station, are equally bound to speed to their aid, under the penalty of being stigmatized for ever as cravens and dishonoured. Col. Tod, himself, can boast an honour (well deserved by zealous devotion and disinterested services) which many a preux chevalier would have joyfully dared a thousand deaths to obtain, that of being the chosen friend and champion of more than one princess, whose regal, and indeed celestial, descents make the longest genealogies of Europe look mean.

The next question arising out of Col. Tod's book is this. Are the ryots in Rajast'han *practically*, as he conceives them to be, *freeholders* in any sense in which an English proprietor is called *the freeholder* of the land he owns? I began in the text by remarking, that the ryot has very generally a recognized right to the hereditary *occupation* of his plot of ground, while he pays the rent demanded of him: and the question is, whether that right in Rajast'han practically amounts to a *proprietary* right or not. Now a distinction before suggested in the text, seems to afford the only real criterion which can enable us to determine this question fairly. Is the ryot at rack-rent? has he, or has he not, a *beneficial* interest in the soil? can he obtain money for that interest by sale? can he make a landlord's rent of it? To give a cultivator an hereditary interest at a variable rack-rent, and then to call his right to till, a freehold right, would clearly

be little better than mockery. To subject such a person to the payment of *more* than a rack-rent, to leave him no adequate remuneration for his personal toil, and still to call him a freehold proprietor, would be something more bitter than mere mockery. To establish by law, and enforce cruelly in practice, fines and punishments to avenge his running away from his freehold, and refusing to cultivate it for the benefit of his hard task master, would be to convert him into a predial slave: and this, although a very natural consequence of the mode of establishing such *freehold* rights would make the names of proprietor and owner almost ridiculous.

The use of the criterion here pointed out, is made very palpable by Sir T. Munro in a "Minute on the State of the Country and on the Condition of the People," dated the 31st of December, 1824. "Had the public assessment, as pretended, ever been, as in the books of their sages, only a sixth or a fifth, or even only a fourth of the gross produce, the payment of a fixed share in kind, and all the expensive machinery requisite for its supervision, never could have been wanted. The simple plan of a money assessment might have been at once resorted to, in the full confidence that the revenue would every year, in good or bad seasons, be easily and punctually paid. No person who knows anything of India revenue can believe that the Rayet, if his fixed assessment were only a fifth or a fourth of the gross produce, would not every year, whether the season were good or bad, pay it without difficulty; and not only do this, but prosper under it beyond what he has ever done at any former period. Had such a moderate assessment ever been established, it would undoubtedly have been paid in money, because there would have been no reason for continuing the expensive process of making collections in kind. It was because the assessment was not moderate, that assessments in kind were introduced or continued: for a money rent equivalent to the amount could not

have been realized one year with another. *The Hindoo Governments seem to have often wished that land should be both an hereditary and a saleable property; but they could not bring themselves to adopt the only practicable mode of effecting it, a low assessment.* — *Life of Munro*, Vol. III. p. 331.

Ibid. p. 336. — “Rayets sometimes have a landlord’s rent; for it is evident that whenever they so far improve their land as to derive from it more than the ordinary profit of stock, the excess is landlord’s rent; but they are never sure of long enjoying this advantage, as they are constantly liable to be deprived of it by injudicious over assessment. While this state of insecurity exists, no body of substantial landholders can ever arise; nor can the country improve, or the revenue rest on any solid foundation. In order to make the land generally saleable, to encourage the Rayets to improve it, and to regard it as a permanent hereditary property, the assessment must be fixed, and more moderate in general than it now is; and above all, so clearly defined as not to be liable to increase from ignorance or caprice.”

Ibid. p. 339. — “The land of the Baramahl will probably in time all become saleable, even under its present assessment; but private landed property is of slow growth in countries where it has not previously existed, and where the Government revenue is nearly half the produce; and we must not expect that it can be hastened by regulations or forms of settlement, or by any other way than by adhering steadily to a limited assessment, and lowering it wherever, after full experience, it may still in particular places be found too high. By pursuing this course, or, in other words, by following what is now called the Rayetwar system, we shall see no sudden change or improvement. *The progress of landed property will be slow*, but we may look with confidence to its ultimate and general establishment.”

Ibid. p. 344. — “If we wish to make the lands of the Rayets yield them a landlord’s rent, we have only to lower and fix the assessment. all then in time have the great body of the Rayets possessing landed properties, yielding a landlord’s rent, but small in extent.”

Ibid. p. 352. — “It may be said that Government having set a limit upon its demand upon the Zemindar, he will also set a limit to his demand upon the Rayet, and leave him the full produce of every improvement, and thus enable him to render his land a valuable property. But we have no reason to suppose that this will be the case, either from the practice of the new Zemindars during the twenty years they have existed, or from that of the old Zemindars during a succession of generations. In old Zemindarries, whether held by the Rajahs of the Circars, or the Poligars of the more southern provinces, which have from a distant period been held at a low and fixed peshcush, no indulgence has been shown to the Rayets, no bound has been set to the demand upon them. The demand has risen with improvement, according to the custom of the country, and the land of the Rayet has no saleable value; we ought not, therefore, to be surprised that in the new Zemindarries, whose assessment is so much higher, the result has been equally unfavourable to the Rayets. The new Zemindarries will, by division among heirs and failures in their payments, break up into portions of one or two villages; but this will not better the condition of the Rayet. It will not fix the rent of the land, nor render it a valuable property; it will merely convert one large Zemindarry into several small Zemindarries or Mootahs, and Mootahs of a kind of much more injurious than those of the Baramahl to the Rayets; because, in the Baramahl, the assessment of the Rayets’ land had previously been fixed by survey, while in the new Zemindarries of the Circars it had been left undefined. The little will in time share the fate

of the great Zemindarries; they will be divided, and fail, and finally revert to Government; and the Rayets, after this long and circuitous course, will again become what they originally were, the immediate tenants of Government; and Government will then have it in its power to survey their lands, *to lower and fix the assessment upon them, and to lay the foundation of landed property in the lands of the Rayets*, where alone, in order to be successful, it must be laid."

Yet with all these views of the difficulty of establishing private property in land, Sir Thomas Munro declares the ryot to be the true proprietor, *possessing all that is not claimed by the sovereign as revenue*. This, he says, while rejecting the proprietary claims of the Zemindars; which he thinks unduly magnified. — "But the Rayet is the real proprietor, for whatever land does not belong to the sovereign belongs to him. The demand for public revenue, according as it is high or low in different places, and, at different times, affects his share; but whether it leaves him only the bare profit of his stock, or a small surplus beyond it as landlord's rent, he is still the true proprietor, and possesses all that is not claimed by the sovereign as revenue." — Vol. III. p. 340. I must refer the reader to the Minute itself for Sir T. Munro's account of the beneficial proprietary rights actually subsisting in Canara, and of certain similar but subordinate and imperfect rights existing elsewhere. To comprehend the real condition of southern India, it would be necessary to understand these well. The plan of such a work as this will not allow me to dilate on them.

Taking, then, the fact here established by Sir T. Munro, that in spite of the hereditary claims of the ryot, it is extremely difficult to discern, or even establish a real beneficial landlord's interest among the cultivators, while the assessment is high and variable, let us apply this to Rajast'han, and to the statements of Col. Tod as to the Ryot *freeholders* of Mewar. Let us examine,

first, the relation between the subordinate chiefs and their immediate vassals. The chiefs, it will be remembered, represent the sovereign on their estates. The vassals of Deogurh sent to the British resident a long complaint of their chief, to which Col. Tod often refers. The following are some articles. "To each Rajpoot's house a churras, or hide of land was attached, this he has *resumed*." "Ten or twelve villages established by his Puttaets he has *resumed*, and left their families to starve." While complaining of being driven from their land, it will be observed that the proceeding is called by themselves a *resumption*. "When Deogurh was established, at the same time were our allotment: *as his patrimony, so our patrimony*; our rights and privileges in his family are the same as his in the family of the presence (the sovereign)." — Tod, p. 199.

Now if these last passages express, as I suspect they do, the extent and ground of their claims; we know how to interpret them. If their interest in the soil was similar to that of the chief in his estate, it was a grant from the sovereign on certain conditions; resumable at pleasure, although practically rarely resumed.

Let us next examine the more direct relation between the sovereign and the cultivators on his domain. The following decree is headed *Privileges and Immunities granted to the Printers of Calico and Inhabitants of the Town of great Akola in Mewar*. "Maharana Bheem Sing commanding. Whereas the village has been abandoned, from the assignments levied by the garrison of Mandelgurh, and it being demanded of its population, how it could again be rendered prosperous; they unanimously replied, not to exact beyond the dues and contributions established of yore; to erect the pillar *promising* never to exact above half the produce of the crops, or to molest the persons of those who thus paid their dues." — Tod, p. 206.

I leave the reader to determine if this is the language of a

ruler, dealing with a body of acknowledged *freeholders*, or of an Indian owner of ryot land, promising to *moderate* his demands for the future.

But the most curious specimen of the actual condition of the ryots of Rajast'han, is to be found in the account of the management of Zalim Singh, the Regent of Kotah. This chief was the real sovereign of Kotah; though administering its affairs in the name of a rajah fainean. His administration was considered singularly prudent and vigorous; he is called by Col. Tod, the Nestor of India, and is spoken of by Sir John Malcolm much in the same spirit. The following is an extract from Sir John's *Central India*. "One of the principal of the Rajpoot rulers of central India, Zalim Singh, has a revenue system, which, like that of his government, is entirely suited to his personal character. He manages a kingdom like a farm, he is the banker who makes the advances to the cultivators, as well as the ruler to whom they pay revenue: and his terms of interest are as high, as those of the most sordid money brokers. This places the cultivators much in his power, and to increase this dependence *he has belonging to himself several thousand ploughs*, with hired labourers, who are not only employed in recovering waste lands, *but sent on the instant to till those fields which the peasantry object to cultivate, from deeming the rent too high.*" — Malcolm's *Cent. India*, Vol. II. p. 62.

Truly after reading these extracts, it is difficult to believe, that the cultivators of Rajast'han are in a much more elevated condition than those of southern India; among whom Sir Thomas Munro perceived, that it would be a very slow and difficult process to establish landed property and beneficial interests; although he recognized in them the proprietors of all not claimed by the sovereign as revenue.

But there is a position of Col. Tod's which yet remains to be noticed. — He cites the institutes of Menu, to prove that land

throughout India, belongs to him *who first clears the wood and tills it*; and this quotation derives rather more importance than would otherwise belong to it, from the fact that the passage relating to the sovereign's right to the soil, which is quoted in the text from Colebrooke's translation of the digest of Hindoo law, has been suspected of having been forged by the natives employed to compile that digest, in order to flatter some supposed prepossessions of those who employed them. I, however, still believe, that the law as translated by Mr. Colebrooke, whether genuine or not, very accurately represents the *practical management* of the soil of India for many ages.

He (says Col. Tod, speaking of the ryot) has nature and Menu in support of his claim, and can quote the text, alike *compulsory* on prince and peasant. "Cultivated land is the property of him who cut away the wood, or *who cleared and tilled it*." The following is the text as it stands in Haughton's edition of Menu :

On Judicature and Law, Private and Criminal, and on the Commercial and servile Classes. — Haughton, p. 293.

44. Sages who know former times, consider this earth (Prit'hivi) as the wife of King Prithu; and *thus* they pronounce cultivated land to be the property of him, who cut away the wood, or *who cleared and tilled it*; and the antelope, of the first hunter who mortally wounded it.

Now had this passage been found in a part of the code relating to landed property, it would at least have carried with it the authority of Menu. In that case I should have had to recall to the reader's recollection the small value which Sir T. Munro's experience led him to attach to the sayings of the ancient Indian sages, when questions arise as to the actual law or past practice of India [see back, p. (37)]. But, in truth, the passage is found in a very different part of the code; a slight further examination will convince the reader, that this mythological sage was speak-

ing of far other matters: and that Col. Tod has fallen into a mistake, at which we must be allowed to smile.

Menu is in fact deciding to whom the children shall belong, born of an adulterous intercourse between a married woman and her paramour. "Learn now that excellent law universally salutary, which was declared, concerning issue, by great and good sages formerly born," and illustrating this in his own allegorical fashion, he compares the *earth* to the lady; and declares, that he who received her virgin charms should be the owner of all the progeny she might produce, under any circumstances, however strong, of detected or permitted faithlessness; and that as cultivated ground belonged to him who first tilled it, and the antelope to the first hunter who mortally wounded it, so "men who have no marital property in women, but sow in the fields owned by others, may raise up fruit to the husband, but the procreator can have no advantage from it."

This subject Menu pursues from 31 p. 291 to 55 p. 295 of Haughton, and follows up his illustration by putting a variety of cases which I certainly shall not quote, but which once read, will effectually (I should think) prevent any person's again referring to this passage, as a grave authority for the laws relating to landed property in India.

When deliberately speaking of the rights of the sovereign, the code uses a language in complete unison with the actual usages of the country. "If land be injured by the fault of the *farmer* himself, as if he fails to sow it in due time, he shall be fined ten times as much as the king's share of the crop that might otherwise have been raised: but only five times as much if it was the fault of his servants without his knowledge." — *On Judicature and Law*, 243, p. 259 of Haughton's Translation.

The same imperfect right, however, to hereditary occupation, while the demands of the sovereign are satisfied, which is everywhere conceded to the ryots, is also still conceded in some parts

of India (not in all) to the first reclaimer of waste or deserted ground.

Extracts from a firmaun of the Emperor Aurenzebe, A.D. 1668, published by Mr. Patton in his *Principles of Asiatic Monarchies*. The firmaun consists of instructions to the government collectors.

p. 343. — “In a place where neither asher nor kheraj (mowez-zeff) are yet settled upon agriculture, they shall act as directed in the law. In case of kheraj (mowezzeff), they shall settle for such a rate, that the ryots may not be ruined by the lands; and they shall not, on any account, exact beyond (the value of) half of the produce, notwithstanding any (particular) ability to pay more. In a place where (one or the other) is fixed, they shall take what has been agreed for, provided that in kheraj (mowez-zeff) it does not exceed the half (of the produce in money), that the ryots may not be ruined: but if (what is settled appear to be too much) they shall reduce the former kheraj to what shall be found proportionable to their ability; however, if the capacity exceeds the settlement, they shall not take more.”

p. 340. — “They must shew the ryots every kind of favour and indulgence; inquire into their circumstances; and endeavour, by wholesome regulations and wise administrations, to engage them, with hearty good will, to labour towards the increase of agriculture; so that no lands may be neglected that are capable of cultivation.

“From the commencement of the year they shall, as far as they are able, acquire information of the circumstances of every husbandman, whether they are employed in cultivation, or have neglected it: then, those who have the ability, they shall excite and encourage to cultivate their lands; and if they require indulgence in any particular instances, let it be granted them; but if, upon examination, it shall be found, that some who have the ability, and are assisted with water, nevertheless have neglected

to cultivate their lands, they shall admonish, and threaten, and use *force and stripes.*"

Yet in this and in another firmaun, also published by Mr. Patton, Aurenzebe speaks very tenderly of the rights of the cultivators as *proprietors*, and is clearly anxious to substitute a milder mode of management for the one actually in use.

The case was much worse with the ryots when the Mogul government was broken up.

Indian Recreations by the Rev. W. Tennant, Vol. III. pp. 188-90.—"This aspect of the native governments merits the greater notice, because it forms not an accidental or temporary feature in their character, but a permanent state of society. It is a maxim among the native politicians, to regard their 'State as continually at war.' Hence their military chiefs are not permitted for a moment to indulge the habits of civil life; nor do they experience the shelter of a house for many years successively. Their camps are not broken up; nor, except during a march, are their tents ever struck. The intervals of foreign hostility are occupied in the collection of revenue; a measure, which in India is generally executed by a military force, and is more fertile in extensive bloodshed and barbarity, as well as in the varied scenes of distress, than an actual campaign against an avowed enemy.

"The *refractory Zemindars* (as they are denominated), upon whom the troops are let loose, betake themselves, on their approach, to a neighbouring mud fort; one of which is erected for protection, in the vicinity of almost every village. There the inhabitants endeavour to secure themselves, their cattle, and effects, till they are compelled by force or famine to submit. The garrison is then razed to the foundation, and the village burnt, to expiate a delinquency, too frequently occasioned solely by the iniquitous exactions of government itself.

"In these military executions, some of the peasantry are

destroyed ; some fall victims to famine thus artificially created, and not a few are sold, with their wives and children, to defray their arrears to the treasury, or to discharge the aggravated burdens imposed by the landholders. Such as survive, betake themselves to the woods, till the departure of their oppressors encourages them to revisit their smoking habitations, and to repair their ruins. Thus harassed by the injustice and barbarity of their rulers, the peasantry lose all sense of right and wrong ; from want, they are forced to become robbers in their turn, and to provoke, by their fraud or violence, a repetition of the same enormities against the next annual visitation of the army."

The fixing the poor ryot to the hereditary task of cultivation, was evidently, under even the best of such governments, a great gain to the sovereign, and a miserable *privilege* to him.

Buchanan's Edit. Smith's *Wealth of Nations*, Vol. iv. App. p. 86. — "Mr. Place, to whom the management of the jaghire, that surrounds the presidency of Madras, was committed, when describing a certain species of tenant, observes, that by granting them the lands 'to them and their heirs for ever, as long as they continued in obedience to the Circar, and paid all just dues, he was enabled to convert the most stubborn soil and thickest jingle into fertile villages.'"

The same sentiments were expressed by Colonel Munro, who had the charge of several districts. He saw clearly, that the high assessment on the land checked agriculture and population : and on this account, he strongly recommended to government a remission of the tribute. His views were admitted to be just ; but the public necessities were pleaded as an apology for a tax, the effect of which it appears is to keep back the cultivation of the country. — "It is the high assessment on the land," the members of the board of revenue observe, "which Colonel Munro "justly considers the chief check to population. Were it not for

“the pressure of this heavy rent, population, he thinks, *ought to increase even faster than in America*; because the climate is more favourable, and there are vast tracts of good land unoccupied, which may be ploughed at once, without the labour or expence of clearing away forests, as there is above three millions of acres of this kind in the ceded districts. He is of opinion that a great increase of population, and consequently of land revenue, might be expected in the course of twenty-five years, from the operation of the remission. But a remission to a few zemindars, he apprehends, would not remedy the evil, nor remove the weight which at present depresses population.

“Under the system proposed, Colonel Munro conceives, that cultivation and population would increase so much, that, in the course of twenty-five years, lands formerly cultivated, amounting to star pagodas 5,55,962, would be relieved and occupied, together with a considerable portion of waste, never before cultivated. The extension of cultivation, however, would not make the farms larger, and thereby facilitate collection. The enlargement of farms or estates is at present prevented by the want of property; hereafter it would be prevented by its division.

“This is the outline of Colonel Munro’s plan, which is not less applicable to all the districts as yet unsettled, than to the ceded districts; and, *if the exigencies of government allowed of such a sacrifice as a remission of the present standard rents, to the extent of 25 per cent., or even of 15 per cent., we should consider the measure highly advisable, and calculated to produce great ulterior advantages.* Indeed, it would be absurd to dispute, that the less we take from the cultivator of the produce of his labour, the more flourishing will be his condition.

“But, if the exigencies of government do not permit them to make so great a sacrifice; if they cannot at once confer the boon of private property, they must be content to establish a

“private interest in the soil, as effectually as they can under the farming system. If they cannot afford to give up a share of the landlord’s rent, they must be indulgent landlords.” *See Report of Select Committee, Appendix.*

For examples of the rate at which population and produce have increased under mild government, I must refer the reader to accounts of Col. Read’s administration of the Mysore, Sir Thomas Munro’s of the ceded districts, and to Sir John Malcolm’s picture of the rapid revival of central India, after the destruction of the Mahratta sway. I find that extracts would swell this Appendix too much.



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